Proceedings of the Fifteenth Session of the First Assam Legislative Assembly, assembled under the provisions of the Government of India Act, 1935

The Assembly met in the Assembly Chamber, Shillong, at 11 A.M., on Saturday, the 11th November, 1944.

PRESENT

The Hon'ble Mr. Basanta Kumar Das, Speaker, in the Chair, the ten Hon'ble Ministers and fifty Members.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

(To which oral answers were given)

(Further Supplementary questions on starred question No.23*.)

Maulana ABDUL HAMID KHAN : মাননীয় প্রধান মন্ত্রী মহোদয়কে আমি জিজ্ঞাসা করিতেছি যে গোয়ালপাড়া, নওগাঁও এবং কামরূপ জিলার অধিকাংশ স্থানে আজও ফেমিলি পিছু ৵৷৷০ সেরের বেশী লবণ দেওয়া হয় না। ১০।১২।১৫ জন যত লোকই পরিবারে থাকুক না কেন ৵৷৷০ সেরের বেশী লবণ কিছুতেই দেওয়া হয় না।

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : আমি ইহা স্বীকার করিতে পারি না। গভর্ণমেণ্টের হুকুম হচ্ছে যে প্রত্যেক Familyতে adult পিছু মাসে ৵৷৷০ সের করিয়া ও নাবালকদিগকে তার অর্দ্ধেক লবণ দিবার। মৌলানা সাহেব যে বলেছেন যে Family পিছু ৵৷৷০ সের করিয়া লবণ পায় সেরূপ হুকুম গভর্ণমেণ্ট দেন নাই, তাহা সত্য নহে।

Maulana ABDUL HAMID KHAN : মাননীয় প্রধান মন্ত্রীকে আমি বলিতেছি যে গভর্ণমেণ্টের উদ্দেশ্য মহৎ এবং অর্ডারও মহৎ কিন্তু স্থানীয় কর্ম্মচারীরা গভর্ণমেণ্টের এই হুকুম না মানিয়া কম লবণ দিয়া সর্ব্বসাধারণের ধ্বংশ সাধন করিতেছেন। ইহা কি গভর্ণমেণ্ট অবগত আছেন ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : এ বিষয়ে গভর্ণমেণ্ট অবগত নহেন।

Maulana ABDUL HAMID KHAN : এই বিষয়ে মুছলিম লীগের Provincial Committee হইতে যে আপত্তি করা হইয়াছে তাহা মাননীয় প্রধান মন্ত্রী পাইয়াছেন কি না ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : এক সপ্তাহ হইল আমি ইহা পাইয়াছি।

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*SHORTAGE OF STOCKS OF ESSENTIAL COMMODITIES IN THE SURMA VALLEY SUPPLY AGENCY

Maulavi MABARAK ALI asked :

*23. (*a*) How many maunds of salt were imported by Government in the Province since 1st April, 1944 upto July, 1944 ?

(*b*) How many maunds of salt were in Government stock immediately before the 1st April, 1944 ?

(*c*) The normal requirements of salt in the Province ?

(*d*) How many maunds of salt were sent to Karimganj Subdivision by Government since 1st April, 1944 to 31st July, 1944 ?

(*e*) The normal monthly requirements of salt in the Karimganj Subdivision ?

*24. (*a*) Whether it is a fact that some special permits to import salt in the Province of Assam have been granted to some whole-sale dealers ?

(*b*) If so, what are the names of the whole-sale dealers ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

23. (*a*)—2,28,381 mds. 22 srs.

(*b*)—1,59,287 mds. 5 srs. 11 chs.

(*c*)—Approximately 1,20,200 mds. per month.

(*d*)—7,500 mds.

(*e*)—Approximately 6,000 mds. per month.

†Srijut JOGENDRA CHANDRA NATH : When was that circular issued to the district authorities ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The circular is an old one, but it had to be suspended during the period when no salt arrived from Calcutta, that is for about six weeks. As soon as salt began to arrive in Assam in satisfactory quantity, the circular has been revived and it is in operation in many districts for two months now.

†Srijut JOGENDRA CHANDRA NATH: So far as Goalpara is concerned not more than a *powa* was supplied. (*Voices*).

Srijut ROHINI KUMAR CHAUDHURI : That is the case in Kamrup also. Not more than a *powa* was supplied in the district of Kamrup for the last two months.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I am sorry to hear that, Sir. The Deputy Commissioner told me that according to stock in some weeks he issued one *powa* and in some weeks six *chhataks* ; but from my personal knowledge I know that in many districts half a seer was issued.

Maulana ABDUL HAMID KHAN : কিছুদিন পূর্ব্বে Karimganj মহকুমার হাকিম সেখানকার whole salers or retailers দিগকে black market হইতে লবণ সংগ্রহ করিয়া ৸০ (বার) আনা সের দরে বিক্রয় করিতে আদেশ দিয়াছিলেন। ইহা প্রধান মন্ত্রী অবগত আছেন কি না ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: না, আমি অবগত নই।

Maulana ABDUL HAMID KHAN : যদি আমি প্রমান দিয়া মাননীয় প্রধান মন্ত্রীর দৃষ্টি আকর্ষণ করিতে পারি তাহা হইলে তিনি step নিবেন কি না ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : নিশ্চয়ই। যদি মহকুমা হাকিমের Order এর সহিত এই সমস্ত ব্যাপার আমাকে জানান তাহা হইলে নিশ্চয়ই step নিব।

Mr. BAIDYANATH MOOKERJEE : What is the present stock of salt for the whole Province ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : We have got two months' surplus stock in the Province at the present moment.

Maulana ABDUL HAMID KHAN : মাননীয় প্রধান মন্ত্রীর নিকট একটা কথা জিজ্ঞাসা করি। কিছুকাল পূর্ব্বে বড়পেটার Subdivisional Officer তথাকার whole-saler দের চোরাই বাজার হইতে লবণ খরিদ করিয়া আনিয়া বিক্রয় করিতে অনুমতি দিয়াছিলেন এবং উক্ত অনুমতিনুযায়ী লবণ লইয়া আসা কালে ধুবড়ীতে ১,২০০ মণ লবণ seize করা হয়। ইহা মাননীয় প্রধান মন্ত্রী অবগত আছেন কি ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: এই লবণ Subdivisional Officer র হুকুমমতে আনা হইয়াছিল বলিয়া কাগজে পত্রে পাইনা। তবে কোন প্রাইভেট ট্রেডার ঐ ১,২০০ মণ লবণ আনিয়াছিল এবং তাহা seize করা হইয়াছিল। ৬০০ মণ বড়পেটা পাঠান হইয়াছে।

†Srijut BELIRAM DAS : Will the Hon'ble Premier issue fresh instruction to the Deputy Commissioner, Goalpara, to issue half a seer of salt per month ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Very well, Sir, I will write again.

Babu RABINDRA NATH ADITYA : In which months the salt position was acute in the Province ?

† Speech not corrected.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA Salt began to arrive in large quantities towards the end of July which has been kept up in August, September and October.

Babu RABINDRA NATH ADITYA : Is it not a fact that Government issued a Press Communiqué on the 21st of July that there was no cause for alarm as the stock Government had was sufficient to meet all the reasonable demands, knowing full well that they had not got sufficient stock ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The press report is perfectly correct. More than a lakh of maunds was in Calcutta to Assam account and it was being carried to Assam.

†Babu DAKSHINARANJAN GUPTA CHAUDHURI : Are Government prepared to issue instruction to all District Magistrates to issue salt to the extent of half a seer and not to Kamrup district alone ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The circular will be issued to every Deputy Commissioner.

Srijut BELIRAM DAS: What about salt for the buffaloes of the Province ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : This I have replied to yesterday. At the time when we arrived at the conclusion to issue half a seer per head in the family, the requirements for cattle and buffaloes were considered.

†Srijut BELIRAM DAS : Supposing a professional grazier or a *bathanwalla* has 200 buffaloes, can half a seer be sufficient ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : These people should move the proper authorities, who are issuing salt for cattle.

†Srijut BELIRAM DAS : The graziers have already approached the authorities. When the circular is issued, will Government make provision for buffaloes also ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : If my hon. Friend will give me an opportunity, I will surely pursue the matter.

†Srijut ROHINI KUMAR CHAUDHURI : May I know if the Deputy Commissioner has authority to give salt for the purpose of consumption of cattle. If the professional graziers apply for salt, has the Deputy Commissioner authority to give salt ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yes, Sir, he has authority to issue salt for such purpose provided the stock position permits. If the stock position is low, he is to refer the matter to Government upon which Government may import more salt to meet such requirements.

†Srijut BELIRAM DAS : Did Government take any action when recently the Deputy Commissioner of Kamrup requisitioned for salt for buffaloes ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : This has not yet reached my hands.

Srijut SURENDRANATH BURAGOHAIN : Has the Subdivisional Officers any authority to lessen the quota already fixed by Government ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : According to his stock position, he can use his discretion.

Srijut SURENDRANATH BURAGOHAIN : Do Government consider that the quota fixed by the Subdivisional Officer of Sibsagar which is about 6½ tolas per week per head, is inadequate ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : My information was till recently in Sibsagar 6½ ch. was allotted, but as soon as the stock position improved the Subdivisional Officer has been ordered to issue half a seer per capita per month.

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†Speech not corrected.

†Mr. F. W. BLENNERHASSETT : Is ther any possibility for Government to improve the allotment of salt for cattle also ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The matter is engaging the consideration of Government.

†Maulavi MABARAK ALI : It is said in the reply that the monthly requirement of the Karimganj Subdivision is approximately 6,000 mds., but during the last four months from the 1st April 1944 to 31st July 1944—7,500 mds. was allotted. Does it not mean that the Karimganj Subdivision had to go either without salt or took recourse to black-marketing ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : It is perfectly correct. Those were the months when the stock position of salt in Assam was at the lowest. It was not due to any shortcoming of this Government, but on account of the failure of the salt carrying steamers reaching the port of Calcutta in time from Bombay on account of the Bombay dock having been destroyed by an explosion.

†Maulavi MABARAK ALI : Is it not a fact, Sir, that Government policy in regard to supply is responsible for the black-marketing ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : No, Sir, the black-market was due to very short supply as I have already mentioned, and non-arrival of salt at Calcutta, and traders wanting to exploit the situation.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

24.(*a*)—Yes.

(*b*)—1. Messrs. Hossen Kassim Dada, Fanchi Bazar, Gauhati.
2. Messrs. Sundaram Gorisankar, Fanchi Bazar, Gauhati.
3. Messrs. Udaychand Danmal, Goalpara.

These permits were granted before Government of India raised our quota from 10 per cent. to 12½ per cent. of all salt deliveries at the port of Calcutta, wherefrom alone Assam has been ordered to bring salt into the Province.

†Srijut ROHINI KUMAR CHAUDHURI : But they actually imported salt, Sir.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Some people tried their level best, but they could not bring it. Messrs. Hossen Kassim Dada had a stock of 2 lacks mds., Messrs. Udaychand Danmal though had a permit could not get railway facilities to bring salt. But I understand Messrs. Sundaram Gorisankar brought only a small quantity by country boats.

†Maulavi MABARAK ALI : Why not a single permit was granted to any of the dealers of my Subdivision ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Nobody applied for permit.

(Starred Question No.25 standing in the name of Maulavi Mabarak Ali, M.L.A. was not put by the questioner.)

Officers of Class III of the Assam School Service

Maulavi MABARAK ALI asked :

*26. Will Government be pleased to refer to letter No. ESS. 382/42/19, dated 5th May 1944, from the Under-Secretary to the Government of Assam, Education Department, to the Chairman, Public Service Commission, debarring all officers of Class III of the Assam School Service from promotion if they have not passed the language examination according to the test laid down for the officers of the Assam Civil and Junior Civil Service and to state—

(*a*) Whether passing of such examination was a requisite qualification or condition for promotion to higher posts at the time of their entrance to the service ?

(*b*) Whether their passing of such examination was ever insisted on, before this circular ?

†Speech not corrected.

(*c*) How Government propose to fill in the vacancies of Head Masters and Assistant Head Masters occurring in the near future before any officers of Classes III and II have passed the language Examination ?

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN replied :

26.(*a*)—No.
(*b*)—No.
(*c*)—On Valley basis according to seniority and merit.

Sole Agent for supply of consumers' goods to Assam Valley Districts

Maulavi MABARAK ALI asked :

*27. Will Government be pleased to state—
(*a*) Whether it is a fact that a certain Company has been appointed as the sole Agent for the supply of consumers' goods to Assam Valley Districts ?
(*b*) If so, what is the name of that Company and who are the partners or share-holders thereof ?
(*c*) Whether any Company of the Sylhet District submitted any petition for appointing them as the Sole Agent for the supply of consumers' goods to Surma Valley ?

*28. Will Government be pleased to state—
(*a*) Whether it is a fact that the prices of consumers' goods imported by Government in the Province, are much higher than the existing market rate ?
(*b*) Whether it is a fact that the selected dealers for Government imported consumers' goods in the Karimganj Subdivision have refused to take the goods on the above ground ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

27.(*a*)—There is no sole agent appointed for Assam Valley Districts in respect of consumer goods. Perhaps the hon. Member means appointment of the Civil Supply Agency at Calcutta.

(*b*)—For details of this agency the hon. Member is referred to starred question No. 10(*a*)—(*f*) on the subject put by Maulavi Amjad Ali, M.L.A.

(*c*)—Maulavis Abdul Bari Chaudhury, M.L.A., Mabarak Ali, M.L.A., the questioner and one Babu Digendra Nath Deb, a Muktear of Sylhet applied for the sole agency for supply of cousumer goods in Surma Valley.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : As regards reply to 27(*b*), as Mr. Amjad Ali's similar question was not put for his absence, I may tell the hon. Friend, who wanted to know whether there is any sole Agent for Assam Valley Districts, that there is none. So, the question of the name of company does dot arise. But if he says that he means the Civil Supply Agency at Calcutta, then I will reply to that.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

28.(*a*)—No such reports have reached Government that prices of all goods are higher than those in the local markets. On arrival of Government consignments, merchants who were selling similar articles at a higher rate, reduced their prices sometimes below the prices which Government charged.

(*b*)—Government have not received any such reports.

Trade Adviser to Government

Maulavi MABARAK ALI asked :

*29. Will Government be pleased to state—

(*a*) The circumstances which led the Government to appoint a Trade Adviser for this Province ?

(*b*) What are his pay and other emoluments, if any ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

29.(*a*)—In order to keep a check over the activities of the Civil Supply Agency, a representative of Government was considered essential who being in Calcutta might take advice from the Deputy Controller General of Civil Supplies and keep in constant touch with importing and manufacturing firms.

(*b*) Rupees 900 per mensem in addition to pension payable by Central Government.

†Maulavi MABARAK ALI : Is it a fact that the Trade Adviser placed some orders to some fictitious companies and that this fact has been reported to Government by the Commissioner of Excise ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yes, Sir, the matter has been placed before me only three days before by the Civil Supply Agency. The Trade Adviser gave contracts for different articles to three different firms and subsequently it appeared that after the delivery of the goods to the Civil Supply Agency for despatch to Assam, the same person signed the acknowledgment receipt of the money paid for the goods in all the cases. These documents have been brought before me only Thursday last. I have seen the report of the Excise Commissioner who is in charge of the consumers' goods in the Province, but I had no time to go further into the matter and pass necessary orders yet.

†Maulavi MABARAK ALI : Are Government aware that after his appointment the Trade Adviser has started some companies and is placing some orders to those companies ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Government have not received such report, Sir.

†Maulavi MABARAK ALI : Will Government make an enquiry into the matter, Sir ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Government will take steps on the report of the Excise Commissioner.

†Khan Bahadur Maulavi KERAMAT ALI : Is it not a fact that Government have changed their policy in regard to purchase and procurement of consumers' goods'?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : There is no case of any change of policy by Government, Sir.

†Khan Bahadur Maulavi KERAMAT ALI : Has the Hon'ble Premier's attention been drawn to a report published in the " Amritabazar Patrika " dated 10th November, 1944, in regard to consumers' goods which shows that there has been a change of policy by Government ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : The newspaper in question somehow got hold of the note that I have circulated to the hon. Members regarding the policy of Government.

Present Revenue Sheristadar in the office of the Deputy Commissioner, Cachar

Maulavi MABARAK ALI asked :

*30. Will Government be pleased to state—

(*a*) Whether it is a fact that Babu Satyendra Mohan Chakravarty, Revenue Sheristadar, Deputy Commissioner's office, Cachar, was due to retire on 16th March 1944 and that he has been granted extension of service till the duration of war ?

†Speech not corrected.

(*b*) Whether it is a fact that Maulavi Mufti Amin Uddin Ahmed, Revenue Sheristadar, Sylhet, has retired from service with effect from 1st July 1944 and that he has not been granted extension ?

The Hon'ble Maulavi ABDUL MATIN CHAUDHURY replied :

30.(*a*)—Babu Satyendra Mohon Chakravarty, Revenue Sheristadar, in the office of the Deputy Commissioner, Cachar, was not granted an extension of service but in the interests of the public service he has been re-employed in the same post.

(*b*) Maulavi Mufti Amin Uddin Ahmed, late Revenue Sheristadar of Deputy Commissioner's office, Sylhet, did not apply for extension of service or for re-employment.

Re Cotton cultivation

Mr. BAIDYANATH MOOKERJEE asked :

*31. Will Government be pleased to state—

(*a*) The names of places in the Province where cotton was cultivated last year ?

(*b*) The total area of such cultivation ?

(*c*) The total outturn of cotton last year ?

The Hon'ble Mr. NABA KUMAR DATTA replied :

31.—The main cotton growing districts are :

(*a*)—Cachar, Khasi and Jaintia Hills, Naga Hills, Lushai Hills, Nowgong, Sibsagar and Garo Hills. In other districts, cotton is cultivated in scattered areas.

(*b*)—The total area under cultivation in 1943-44, was 32,200 acres.

(*c*)—10,300 bales.

†Mr. BAIDYANATH MOOKERJEE : What is the average weight of bale, Sir ?

†The Hon'ble Mr. NABA KUMAR DATTA : Each bale contains 400 *lb.* of leaf.

Karimganj District National War Front Committee

Maulavi MABARAK ALI asked :

*32. Will Government be pleased to state—

(*a*) Whether the Hon'ble Prime Minister as Provincial Leader of the National War Front received an appeal from eleven Regional Leaders of the Karimganj District National War Front Committee, for setting aside the election of the District Leader, and of the Deputy Leaders on the grounds of illegality and irregularity ?

(*b*) If so, what steps, if any, have been taken by him ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

32. (*a*) & (*b*)—The Provincial Leader received a representation without any date, signed by nine gentlemen alleging irregularities in the election of the District Leader, National War Front of Karimganj Subdivision. The main irregularities alleged are three, *viz.*, (1) the Provincial Organizer took the chair in absence of the Subdivisional Officer, who was the former District Leader, (2) the voting was not by ballot and (3) there being only two candidates, when one candidate withdrew from the meeting, the Organizer acted illegally in declaring the other candidate elected. The Provincial Leader confronted the Provincial Organizer with the document and heard his version, and he is satisfied that there was no irregularity vitiating the election. The fact that only nine gentlemen submitted the representation, when admittedly there were thirty-one gentlemen present in the election meeting, proves that the majority had no objection to the procedure adopted by the Provincial Organizer.

Maulavi MABARAK ALI : May I know from the Hon'ble Premier whether any opportunity was given to the appellant to prove the case ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : No, Sir. They have submitted *in extenso* a representation to me.

Maulavi MABARAK ALI : May I know, Sir, how the Provincial Leader of the National War Front, however god-gifted he might be, could arrive at a decision without hearing both the parties ?

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†Speech not corrected.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Because the points were put in the representation.

Mr. Lais, the then Provincial Organizer of the National War Front

Maulavi MABARAK ALI asked:

*33. (*a*) Are Government aware that Mr. Lais, the then Provincial Organiser of the National War Front, in the meeting held for the election of the District Leader, Karimganj District National War Front Committee, said that the District Leaders are far superior to the Subdivisional Officers in all respects save and except trying of cases?

(*b*) If so, will Government be pleased to state whether that statement is correct.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

33. (*a*)—The then Provincial Organizer denies having made such a statement.

(*b*)—Does not arise.

Maulavi MABARAK ALI: Will the Hon'ble Premier take it for me that he made such a statement?

Expenditure in connection with National War Front Committee

Maulavi MABARAK ALI asked:

*34. Will Government be pleased to state—

(*a*) Whether the Central Government or the Provincial Government or both bear the expenditure in connection with National War Front Movement?

(*b*) The amount of expenditure incurred in July 1944, in connection with the "Saiyid Sir Muhammad Saadulla Annual Boat Race" by the Karimganj District National War Front Committee?

(*c*) The amount drawn as travelling and halting allowances by the Provincial Leader of the National War Front in attending the said Boat Race?

(*d*) Whether on that occasion any other Hon'ble Ministers and Government servants accompanied the Provincial Leader of the National War Front?

(*e*) If so, what are their names, designations and whether they drew any travelling and halting allowances for attending the function?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

34.(*a*) —The Central Government.

(*b*) — Rs.1,497-14-0.

(*c*) —No expenditure was involved in this attendance, which was in the course of a regular tour.

(*d*) The Hon'ble Minister for L.S.-G., the Director of Public Instruction and the Publicity Officer also attended the meeting in the course of their tours; the only Government servant who accompanied the Hon'ble Provincial Leader was his Personal Assistant.

(*e*) —No travelling allowance was drawn for attending the function.

Next Local Board Elections

Maulavi ABDUR RAHMAN asked:

*35. (*a*) Is it a fact that the general election of the local bodies is going to be held at the end of the current year?

(*b*) Will Government be pleased to state whether they are going to hold the next general election to the local bodies on the basis of the last census population?

(*c*) Do Government propose to allot additional seats to various communities according to present population basis?

(*d*) Is it a fact that the Muslim population in the Province has considerably increased since the last census?

(*e*) Will Government be pleased to state as to how they are going to meet the demand of the communities whose population has increased since the last census?

The Hon'ble Srijut HIRENDRA CHANDRA CHAKRAVARTY replied:

35. (*a*)—Presumably the hon. Member means Local Board elections only.

Every endeavour is being made to hold the Local Board elections within March 1945.

(*b*) & (*c*)—In distributing seats Government are to take into consideration under Proviso to Section 4 (2), (*a*) the population of, (*b*) the area held, (*c*) the Local rates paid by the different communities and other factors. The population of 1941 census is being taken into account.

(*d*)—Until a fresh census is held, it is not possible for Government to know what increase or decrease there has been in the population of different communities.

(*e*)—Does not arise.

Management of the Court of Wards Estates in the district of Sylhet

Mr. BAIDYANATH MOOKERJEE asked:

*36. Will Government be pleased to state—

(*a*) The total number of estates now under the management of the Court of Wards in the district of Sylhet ?

(*b*) How many of these estates belong to Hindu proprietors and how many to Muslim proprietors ?

(*c*) The total number of Managers appointed to manage these estates, and how many of them are Hindus and how many are Muslims ?

(*d*) Whether Government in the interest of the proprietors propose to supply the individual wards with copies of the annual report and statements about the administration of their estates by the Court of Wards ?

The Hon'ble Maulavi MUNAWWAR ALI replied:

36. (*a*)—16.

(*b*)—Muslim proprietors 4, Hindu proprietors 12.

(*c*)—9 of which 4 are Muslims and 5 are Hindus.

(*d*)—No. The Wards being disqualified proprietors can have no voice in the management of an estate but they are entitled to see the annual report on their estates in the Manager's Office.

†Mr. BAIDYANATH MOOKERJEE: I cannot quite follow, Sir. My question was quite different and the Hon'ble Minister has replied that the disqualified proprietors have no voice in the administration of their estates. My question has not been answered in a proper way. May I have the right answer ?

†The Hon'ble Maulavi MUNAWWAR ALI: My answer implied that it would be possible for the proprietors to see the annual report of the estate in the Manager's Office.

Re **Richi Wards Estate and its management**

Mr. BAIDYANATH MOOKERJEE asked:

*37. Will Government be pleased to state—

(*a*) Whether it is a fact that the proprietors of the Richi Wards Estate objected against amalgamation of their estate with the Baniachong Mazumdari Wards Estate for purposes of management ?

(*b*) Whether it is a fact that the proprietors of the Richi Wards Estate have been praying for a whole-time and independent Manager for their estate for a long time ?

(*c*) Whether they are aware that some influential section of the Muslims of Habiganj subdivision are recently trying to oust the Richi Zemindars from a plot of land near their homestead on the plea of a Muslim graveyard being situated there and also burying a fresh dead body there ?

(*d*) Whether they are aware that the present Muslim Manager worked and is still working against the interests of the Hindu proprietors in conducting the civil suit over that plot of land ?

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†Speech not corrected.

(*e*) Whether Government propose to have an enquiry made by the Commissioner of Divisions, Assam, about the manner in which the estate is being managed by the present Manager, and about the allegations made by the proprietors of the Richi Estate against the appointment of the present Manager ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

37. (*a*) & (*b*)—The proprietors of the Richi Wards Estate objected to the management of their Estate by the Manager of the Baniachong Mazumdari Wards Estate, but the Court of Wards overruled their objection on grounds of economy. There was no question of amalgamating the accounts of the two Estates.

(*c*)—Yes.

(*d*) & (*e*)—No allegations against the present Manager have been made by the proprietors of the Richi Estate other than to object to him as a Muslim. Government are not aware that he has worked against the interest of the proprietors or that any enquiry is called for.

Mr. BAIDYANATH MOOKERJEE : As regards (*b*), my question was whether it is a fact that the proprietors of the Richi Wards Estate have been praying for a whole-time and independent Manager for their estate for a long time ? I have not received any answer to that part of the question, Sir.

The Hon'ble Maulavi MUNAWWAR ALI : Yes, and also a Hindu.

Re acquisition of Hindu household land of village Richi in Habiganj Subdivision for Muslim graveyard

Mr. BAIDYANATH MOOKERJEE asked :

*38. Will Government be pleased to state—

(*a*) Whether it is a fact that Syed Ahmed Ali and Syed Abdul Gafur along with others have recently submitted a petition to the Hon'ble Revenue Minister for acquisition of a plot of Hindu homestead land in village Richi, subdivision Habiganj, in the district of Sylhet for a Muslim graveyard ?

(*b*) Whether it is a fact that the proprietorship of the land in question was the subject-matter of a civil suit in the Court of the Additional Subordinate Judge, Sylhet ?

(*c*) Whether it is a fact that Syed Ahmed Ali and Syed Abdul Gafur along with others were the defendants in the said civil suit ?

(*d*) Whether Government are aware that the whole Muslim community of the Richi Pargana and also of the surrounding villages were made defendants in the above suit under Order 1, Rule 8 of the Civil Procedure Code ?

(*e*) Whether it is a fact that the Additional Subordinate Judge of Sylhet decreed the suit against the defendants holding that they or any other Muslims had no right to bury any Muslim dead body in the said land or use it in any other way, and allowed the permanent injunction prayed for by the plaintiffs in the suit who are Hindu landlords of the locality and wards of the Richi Wards Estate, against the defendants who are all Muslims, and advising the defendants to remove the dead body from the land under dispute ?

(*f*) Whether Government are aware that on appeal the District Judge of Sylhet while upholding the judgment of the Subordinate Judge went further to grant a mandatory injunction for removal of the dead body at the cost of the defendants ?

(*g*) Whether Government are aware that both the Additional Subordinate Judge as well as the District Judge, Sylhet, held that the land in question was the homestead of Pundit Ramchandra Siddhantaratna,

and that the descendants of the said Pundit lived on the land till recently, and that the land could not be used as a burial ground by the Muslims under any plea ?

(*h*) Whether Government are aware that the defendants have preferred an appeal before the Hon'ble High Court, and that the appeal has been admitted, and it is still *sub-judice* ?

(*i*) Whether it is a fact that Mr. T. A. Sharpe, I. C. S., as Subdivisional Officer of Habiganj, reported, on the basis of the findings of the Courts of Justice, against the acquisition of the land, as desired by the petitioners ?

(*j*) Whether Government are aware that already five or six Hindu families of the neighbourhood have already abandoned their homestead after this forcible burial ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

38. (*a*)—Yes.

(*b*)—Yes.

(*c*) and (*d*)—Government have no information.

(*e*) (*f*) and (*g*)—Government have not received copies of either original or appellate judgment in the suit in question, but have only seen extracts. Both the original and appellate courts decreed the suit in favour of the plaintiffs and held that the defendants had acquired no customary rights of burying dead bodies in the land in suit.

(*h*)—Yes.

(*i*)—Yes.

(*j*)—Government have no information.

Mr. BAIDYANATH MOOKERJEE : As regards (*a*), will Government please state whether they have taken any action on the petition ?

The Hon'ble Maulavi MUNAWWAR ALI : No action has been taken on the petition.

Mr. BAIDYANATH MOOKERJEE : Is it still pending ?

The Hon'ble Maulavi MUNAWWAR ALI : It has been kept pending in view of the fact that the appeal is still pending before the Hon'ble High Court.

Mr. BAIDYANATH MOOKERJEE : Am I to understand that the petition will be entertained after the decision of the Hon'ble High Court ?

The Hon'ble Maulavi MUNAWWAR ALI : Nothing can be foreseen now.

Mr. BAIDYANATH MOOKERJEE : May I know whether Government will keep the petition pending till the decision of the Hon'ble High Court ?

The Hon'ble Maulavi MUNAWWAR ALI : Yes.

Mr. BAIDYANATH MOOKERJEE : As regards (*c*) & (*d*), the Hon'ble Minister has replied that Government have no information. I cannot understand that. When an estate is under the Court of Wards, is it not the duty of Government to know whether there is a suit pending regarding the estate and who are the parties ?

The Hon'ble Maulavi MUNAWWAR ALI : This is a question of long details and Government should not waste time to look into the details which will serve no useful purpose.

Mr. BAIDYANATH MOOKERJEE : I want to know whether the petitioners mentioned in (*a*) above are defendants ?

The Hon'ble Maulavi MUNAWWAR ALI : Government did not consider it worth the while to look into that.

Mr. BAIDYANATH MOOKERJEE : Can it not be said that Government did not take any interest in the case and are guilty of negligence ?

The Hon'ble Maulavi MUNAWWAR ALI : The hon. member will be wholly wrong in saying so.

Mr. BAIDYANATH MOOKERJEE : I shall be perfectly right, Sir, I maintain.

Formation of a Central Committee for Post-War Reconstruction

Mr. BAIDYANATH MOOKERJEE asked :

*39. (*a*) Will Government be pleased to state whether they have formed a Central Committee for Post-War Reconstruction as stated by the Hon'ble Prime Minister in reply to Starred Question No. 101 asked by Mr. Baidyanath Mookerjee, M.L.A., during the last Budget Session of the Assembly ?

(*b*) If so, will Government be pleased to state who are the members of that Committee ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

39. (*a*)—Not yet. Sub-Committees were constituted to prepare schemes of development which are being co-ordinated by Sir Keith Cantlie. Progress may be reported within the calendar year, but the matter is being reviewed at the request of the Central Government.

(*b*)—Does not arise.

Increase of traffic on the Sylhet-Shillong and Gauhati-Shillong Roads

Mr. BAIDYANATH MOOKERJEE asked :

*40. Is the Hon'ble Minister-in-charge aware—

(*a*) That the civil booking in the Hill Section of the Bengal and Assam Railway (A.B. Zone) from Lumding to Badarpur has been totally closed for the last two years or so ?

(*b*) That the said route was the only means of railway communication between the Surma Valley and the Assam Valley ?

(*c*) That due to the suspension of civil booking from Lumding to Badarpur, traffic on the Sylhet-Shillong and Gauhati-Shillong roads, both ways, has since abnormally increased ?

*41. Will Government be pleased to state—

(*a*) Whether the existing number of cars and buses plying on the aforesaid roads are regularly carrying all the passengers that come to the station daily ?

(*b*) Whether it is a fact that many civil passengers are left behind daily for want of accommodation in the buses at Sylhet, Shillong and Gauhati stations ?

(*c*) Whether it is a fact that many of the said passengers including those coming with through tickets from Bengal and other places on the Bengal and Assam Railway (A. B. Zone) are stranded for days together at Sylhet and Gauhati stations ?

(*d*) Whether it has ever come to the notice of the Hon'ble Minister that many such stranded passengers become exhausted of their purse in hand by waiting long days for tickets and are ultimately compelled to sell their belongings to enable them to pay for their passage home back ?

*42. If the answer to all or any of questions Nos 40 and 41 be in the affirmative, will the Hon'ble Minister-in-charge be pleased to state—

(*a*) Whether he has since made any additional arrangement, commensurate with the said increase of general traffic, for their transport both ways on the said roads ?

(*b*) If so, how many cars or buses have since been added on this account to the already scheduled number on these roads ?

(*c*) If not, whether the Hon'ble Minister proposes to supplement the existing number of Company's buses with sufficient number of bus permits in order to meet the said increase of traffic on the said roads ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied :

40. (*a*)—Not for so long as two years in the case of passenger traffic, but for a considerable time.

(*b*)—Yes.

(*c*)—Yes.

41. (*a*) and (*b*)—Until recently there was heavy congestion, and a number of intending passengers have been held up, but Government believe that the situation has now much improved.

(*c*)—Government are assured that preference is given on occasions when accommodation is short to passengers with through tickets, but are prepared to accept the statement that even such passengers have been held up at times recently, if the hon. member vouches for it.

(*d*)—There have been complaints to that effect, but Government have not detailed information.

†Mr. C. W. MORLEY: Is it a fact that a large number of military personnel travel by civil transport vehicles ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yes, Sir.

†Mr. C. W. MORLEY: Will Government direct the Commercial Carrying Company to abstain from carrying military personnel until all the civil passengers have been reasonably accommodated ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : This matter was discussed not only with the Company but also with the Military authority. The Company under the terms of an agreement with the military, are to carry all the goods and passengers whenever they are wanted, and therefore the Company expressed inability to give preference to the civilians. As regards the military not carrying their personnel in their own vehicles, we were told in one word that in operational matters there cannot be any fixity, and therefore, the vehicles that sometimes go about empty cannot carry the personnel.

†Mr. F. W. BLENNERHASSETT : Is it a fact that some trouble occurred on the Shillong-Gauhati Road which was ameliorated by the Army putting their vehicles for the purpose ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Yes, the Army put a certain number of vehicles, but even then they could not carry the entire goods and passengers, and the Commercial Carrying Company had to put a number of their lorries and buses exclusively for Military use.

†Mr. A. WHITTAKER : Is it a fact that some military personnel had been kept waiting at Sylhet and Gauhati for want of accommodation on the bus ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : No such complaint was received by Government.

†Mr. A. WHITTAKER : In view of the transport difficulties among the civil and military passengers, do not Government think that they need not abdicate their responsibility to civilian passengers ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Government tried their best to lighten the difficulty of members of the House.

†Srijut BELIRAM DAS : Is the Hon'ble Premier aware that black marketing is going on at Gauhati in purchasing motor tickets ? (*Laughter!*)

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I have no official intimation about it, but I heard of it and asked the Deputy Secretary of the Commercial Carrying Company to look into it and Mr. Mukherjee, the then Deputy Secretary, promised to stop illegal sale of tickets.

†Maulavi ABDUL BARI CHAUDHURY : Is it not a fact that very recently passengers had to wait for days together for getting seats in the motor service ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Where was that —at Sylhet, Gauhati or Shillong ?

†Speech not corrected.

†Maulavi ABDUL BARI CHAUDHURY: At Shillong.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No such case has been reported to Government as yet.

†Babu DAKSHINA RANJAN GUPTA CHAUDHURI: May I know from Government on what basis their belief is based, as replied in No. 41 (*a*) and (*b*) ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Because the Government have given additional buses and because the Commercial Carrying Company showed by facts and figures that congestion of passengers on their waiting list has been reduced to nearly one-third of what was before.

†Mr. BAIDYANATH MOOKERJEE: The Hon'ble Premier says that he is satisfied that the condition has greatly improved at present, but if I vouchsafe that the case is otherwise ?

The Hon'ble the SPEAKER: That is on the basis of reply to Question No. 42.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA replied:

42. (*a*) & (*b*)—Yes. Government have arranged five extra permits on the Gauhati-Shillong Road and two on the Sylhet-Shillong Road. The Companies have also made interchanges when necessary from time to time, and have promised to keep Government informed regularly if the situation looks like getting out of hand again.

(*c*)—Does not arise.

†Mr. BAIDYANATH MOOKERJEE: May I know, Sir, whether these buses have been reserved for the civil population entirely ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir, we have not asked the Company to reserve the buses entirely for the civil population.

Srijut ROHINI KUMAR CHAUDHURI: Will Government issue instructions to the Company to reserve these additional buses for civil population ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The suggestion will be considered, Sir.

†Mr. BAIDYANATH MOOKERJEE: Sir, are the Companies quite competent to enter into any agreement with the military authorities at the cost of the civilian population in reserving large number of buses and trucks for the military people ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The contract was made long before the present war emergency arose. Therefore, nobody could foresee what congestion there would be on these routes. Ever since there has been congestion, we have been asking the Commercial Carrying Company and the United Motor Transport Company to see that civil population on the Shillong-Gauhati Road and the Shillong-Sylhet Road are not put to trouble for the sake of the military people. They promised that they have been doing their very best to allocate seats according to needs both of civil and military people. So far as the civil population are concerned, they said that during the last Durga Puja and Id festivals there was such a huge rush of passengers that they could not cope with the situation with the limited number of lorries at their disposal, and when we found that as many as 400 passengers were waiting to go down to Sylhet we increased the number of buses on the Sylhet side by two. Similarly, we had to increase the lorries by five on the other road.

Our *ex*-Registrar is now the present Deputy Secretary of the Commercial Carrying Company. He saw me twice about the middle of October and he showed me by statistics that the position had greatly improved. He also showed me the waiting list about 10 days back ; the waiting list has been reduced from 400 to 100 only.

†Mr. BAIDYANATH MOOKERJEE: May I know how many vehicles the Company applied for ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: The Company applied for 10 vehicles on the Gauhati Road and 4 vehicles on the Sylhet Road.

†Mr. BAIDYANATH MOOKERJEE: And why only 50 per cent. in both the cases has been sanctioned and not the entire number, Sir ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: From the statistics we found that the traffic would be managed by addition of two vehicles on the

†Speech not corrected.

Sylhet Road. They wanted to keep two for emergency. But the number of lorries available under the Lease-Lend system are limited and we possibly cannot hold back lorries only to meet eventualities.

†Mr. BAIDYANATH MOOKERJEE: Sir, are Government prepared to increase the number if the present arrangement is found not sufficient for the purpose and if it is brought to the notice of the Hon'ble Prime Minister ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I have already replied that point in answer to Question No. 42.

The difficulty is that any one who asks for a seat in preference to others and is not given a seat, sends in a wire immediately without looking into the fact. I had a personal discussion with the Station Superintendent of the United Motor Transport Company at Shillong. He showed me by facts and figures that all on a sudden some high Government official recommended that a certain person—who was an Assistant in his office—had fallen ill and that he might be given preference to others so that he might go down. In such circumstances the Station Superintendent had to give preference to some of the Government servants or sick persons. Even I had to intervene in the cases of three persons who were sick in Shillong and wanted to go to warmer climate. But they could not get seats for themselves and I had to write personally so that these people could go down. The Station Superintendent said that that sort of recommendations they had to accept even in preference to long waiting passengers. These passengers complained saying that some body had been preferred to them, but these are the circumstances, and I have personally verified all these recommendations which had been presented to me and found that in 99 per cent. of the cases the recommendations were justified either on the ground of public duty or on humanitarian grounds.

UNSTARRED QUESTIONS

(to which answers were laid on the table)

Requisition of villages and lands for military purposes

Babu NIRENDRA NATH DEV asked:

1. Will Government be pleased to state—
   (*a*) The number of villages that have been requisitioned for military purposes in the district of Sylhet ?
   (*b*) The number of families that had to leave their ancestral homes on account of these requisitions ?
   (*c*) How many of these families have been given land by Government for settling ?
   (*d*) Whether all these families were promptly and adequately paid compensation ?
   (*e*) On what principle such compensations are being determined ?
   (*f*) Whether it is a fact that the compensations for houses are generally ascertained by Kanungoes ?
   (*g*) Whether these Kanungoes have any expert knowledge on the subject ?
   (*h*) Whether it is a fact that the compensations ascertained by Kanungoes are given without any previous mutual agreement with the party concerned and that the principle as laid down in that behalf in Section 19 of the Defence of India Act is not followed ?
   (*i*) Whether it is a fact that the rates given are in most cases much below the Public Works Department Schedule rates of the place ?
   (*j*) Whether Government are aware that the rates which are being given to these persons are not sufficient to cover even the labour charges or the expenses of erecting houses similar to those they lost ?

†Speech not corrected.

(*k*) Whether Government are aware that 95 per cent. of these families are living in most unhealthy congested huts erected with the help of relations and friends ?

(*l*) Whether Government maintain any record regarding the present whereabouts of these evacuees ?

2. (*a*) Is it a fact that there are circulars of the Central Government to the effect that Government would help such evacuees in all possible ways in the matter of rehabilitation by giving lands, constructing wells, roads, establishing hospitals, schools, etc., for them ?

(*b*) If so, how far these obligations have been discharged by Government and where ?

3. (*a*) Will Government be pleased to state whether any Schedule of rates has been framed to compensate such people for their trees, etc. ?

(*b*) If so, in which year it was framed ?

(*c*) Will Government be pleased to lay on the table a copy of such Schedule ?

(*d*) Will Government be pleased to state how these people are paid for the paddy lands ?

4. (*a*) Is it a fact that Government is contemplating to take homesteads of rural areas on rental basis for military purposes ?

(*b*) If so, on what principle ?

The Hon'ble Maulavi MUNAWWAR ALI replied :

1. (*a*) *to* (*c*)—It is regretted that this information cannot be given in the interest of security.

(*d*)—Yes, adequate compensation is paid as promptly as possible.

(*e*)—On the basis of actual loss suffered.

(*f*)—Compensation is assessed by the District Officers assisted by subordinate staff.

(*g*)—Does not arise.

(*h*)—Advance payments are made to mitigate hardship in cases where delay is involved in final settlement. Acceptance of such compensation does not preclude an evictee from refusing to sign a final agreement and taking the case to arbitration.

(*i*) & (*j*)—Government have no information. If any one is not prepared to accept the Deputy Commissioner's award he has his remedy in arbitration.

(*k*)—Government have no information.

(*l*)—No. This is not possible. Some take lands provided for them while others refuse to leave the vicinity of military projects on account of the good wages they earn by working there.

Mr. BAIDYANATH MOOKEJEE : Sir, I find that the replies to my questions (*a*), (*b*) and (*c*) are given as—"It is regretted that this information cannot be given in the interest of security". So far as (*a*) is concerned, it is all right, but as regards (*b*) and (*c*), I fail to understand why these information cannot be given in the interest of security.

The Hon'ble Maulavi MUNAWWAR ALI : If (*a*) is accepted, then (*b*) and (*c*) necessarily follow.

Mr. BAIDYANATH MOOKERJEE : Still, I fail to understand. Will the Hon'ble Minister explain his view point ?

The Hon'ble Maulavi MUNAWWAR ALI : If the families are known and the number of persons affected, then the areas could be identified.

The Hon'ble the SPEAKER : All these questions relate to numbers only.

Mr. BAIDYANATH MOOKERJEE : It is a matter of opinion, Sir, I want straight answer to my questions (*b*) and (*c*).

The Hon'ble the SPEAKER : I do not see any harm in giving the number.

The Hon'ble Maulavi MUNAWWAR ALI : If the hon. Member would see me in my Chamber, I would give him the number, Sir.

The Hon'ble the SPEAKER : He has asked the question to be answered on the floor of this House.

The Hon'ble Maulavi MUNAWWAR ALI: I am sorry, Sir, I cannot give the number just now.

Mr. BAIDYANATH MOOKERJEE: May I expect to get the numbers during the session, Sir.

The Hon'ble Maulavi MUNAWWAR ALI: I will endeavour, Sir.

Srijut ROHINI KUMAR CHAUDHURI: Has any new settlement been granted anywhere to any of these families, Sir.

The Hon'ble Maulavi MUNAWWAR ALI: Yes, new settlements have been given.

Khan Bahadur Maulavi KERAMAT ALI: May we know from the Hon'ble Minister whether any of these families have been given any lands for shifting from their old homes to new ones ?

The Hon'ble Maulavi MUNAWWAR ALI: Yes, lands have been given to a large number.

Babu RABINDRA NATH ADITYA: What is the percentage ?

The Hon'ble Maulavi MUNAWWAR ALI: It is difficult to give the exact percentage off-hand, but to my impression the percentage is not inconsiderable.

Babu RABINDRA NATH ADITYA: The question is "whether all these families were promptly and adequately paid compensation" and the answer is "Yes, adequate compensation is paid as promptly as possible". Does it follow that compensation has been paid ?

The Hon'ble Maulavi MUNAWWAR ALI: Yes.

Babu RABINDRA NATH ADITYA: To how many families ?

The Hon'ble Maulavi MUNAWWAR ALI: I told the House, Sir, that it is a large number.

Srijut ROHINI KUMAR CHAUDHURI: What is the total amount paid ?

The Hon'ble Maulavi MUNAWWAR ALI: I shall require notice of that question, Sir.

Babu RABINDRA NATH ADITYA: Do Government admit that a large number of families are still awaiting receipt of compensation since a long time ?

The Hon'ble Maulavi MUNAWWAR ALI: Wholly or partly ?

Babu RABINDRA NATH ADITYA: Sometimes wholly and sometimes partly.

The Hon'ble Maulavi MUNAWWAR ALI: What is the proportion of wholly and what of partly ?

Babu RABINDRA NATH ADITYA: In some cases Rs.30 to 200 has been paid and all other compensations are still waiting to be paid.

The Hon'ble Maulavi MUNAWWAR ALI: Does the hon. Member speak for the whole Province, Sir.

Babu RABINDRA NATH ADITYA: I am speaking for the District of Sylhet.

The Hon'ble Maulavi MUNAWWAR ALI: Practically all the families evicted have been given part compensation and a very many of them up to 80 per cent. as far as my impression goes.

Mr. A. WHITTAKER: Mr. Speaker, Sir, would the Hon'ble Minister give the amount of compensation which has been claimed and the amount of compensation which has been paid separately so that the House can judge what has been the performance of the Government in this matter ?

The Hon'ble Maulavi MUNAWWAR ALI: That is a question of which I would require notice, Sir.

Mr. A. WHITTAKER: Will the Hon'ble Minister take notice of this question just now ?

The Hon'ble Maulavi MUNAWWAR ALI: I do Sir, and shall furnish the information, if possible, during this session.

Maulana ABDUL HAMID KHAN: Hon'ble Revenue Minister কে জিজ্ঞাসা করিতেছি যে সিলেট এবং কাছাড়ের অসংখ্য লোক দরিদ্র কৃষক প্রজা-গৃহহীন অবস্থায় এই ক্ষতি পরণের জন্য এখানে ওখানে ঘুরাঘুরি করিতে করিতে তাহাদের টাকা পয়সা ও যাহা কিছু সম্বল ছিল তাহা সমস্তই শেষ করিয়াছে—একথা কি তিনি স্বীকার করেন ?

The Hon'ble Maulavi MUNAWWAR ALI: মাননীয় মৌলানা সাহেব যা বলেছেন তা আমি স্বীকার করতে পারি না।

Maulana ABDUL HAMID KHAN: মাননীয় Revenue Minister কে জিজ্ঞাসা করি—অনেক লোক ব্যাধি-গ্রস্থ হইয়া অর্থাভাবে চিকিৎসা করাইতে না পারিয়া মারা গিয়াছে; এখনও তাদের ছেলেপিলেরা কোনরূপ ক্ষতিপূরণ পায় নাই—ইহা তিনি স্বীকার করেন কিনা?

The Hon'ble Maulavi MUNAWWAR ALI: না; আমি এটা স্বীকার করি না।

Maulana ABDUL HAMID KHAN: এই ক্ষতিপূরণ না পাওয়ার ফলে অন্নবস্ত্র-হীন জনসাধারণ ও কৃষককুল কি ভীষণ দুরবস্থায় পতিত হইয়াছে তাহা অনুসন্ধান করিতে মাননীয় Revenue Minister করবার সিলেট গিয়াছেন?

The Hon'ble the SPEAKER: The Hon'ble Minister will please reply in English. The Maulana Sahib understands English.

The Hon'ble Maulavi MUNAWWAR ALI: I have twice gone to enquire into their affairs, Sir.

Maulana ABDUL HAMID KHAN: তবে কোনরূপ ক্ষতিপূরণ না পাওয়ার দরুণ অনেক লোক ক্ষতিগ্রস্থ হইয়াছে এইরূপ ঘটনা তাহার notice এ আসে নাই বলিয়া কি তিনি অস্বীকার করেন?

The Hon'ble Maulavi MUNAWWAR ALI: I do deny that, Sir.

Babu RABINDRA NATH ADITYA: Was it not a fact that the people of Sylhet reported the death of Harendra Nath Sarma for want of compensation money for his proper treatment?

The Hon'ble Maulavi MUNAWWAR ALI: During my last tour when I went to enquire about these cases of evictions, one such fictitious instance was cited.

Babu RABINDRA NATH ADITYA: Whether the man was fictitious or the allegation fictitious?

The Hon'ble Maulavi MUNAWWAR ALI: Allegations fictitious.

Maulana ABDUL HAMID KHAN: মাননীয় Revenue Minister কে জিজ্ঞাসা করিতেছি—এই শীতকালে তাহারা বস্ত্রের অভাবে কষ্ট পাইবে সেইজন্য অতি শীঘ্র যাহাতে তাহারা compensation পায় তাহার ব্যবস্থা করিতে রাজী আছেন কি?

The Hon'ble Maulavi MUNAWWAR ALI: I gave all assurances but there are very many great difficulties. I shall try to surmount them as far as it lies in me.

Maulana ABDUL HAMID KHAN: মন্ত্রী মহোদয়ের এই প্রতিশ্রুতি বৎসরকাল চলিবে, না তাহার এদিকে পাওয়া যাইবে—এটা আমি জানিতে চাই।

The Hon'ble Maulavi MUNAWWAR ALI: I shall endeavour to give the earliest possible remedy.

Srijut ROHINI KUMAR CHAUDHURI: Has the Government any authority to look into those cases where complaints are made of inadequate compensation being given?

The Hon'ble Maulavi MUNAWWAR ALI: Yes, there is an arbitrator who is to decide in such cases when there is complaint about inadequate compensation.

Srijut ROHINI KUMAR CHAUDHURI: May we know, if there is any complaint about inadequacy of compensation then Government appoint an arbitrator or Government have authority to revise it?

The Hon'ble Maulavi MUNAWWAR ALI: Government may perhaps intervene at the initial stage, but when the Deputy Commissioner has finally decided upon the amount of compensation, the matter is one for reference to arbitration.

Babu RABINDRA NATH ADITYA: Has any procedure been laid for the arbitration?

The Hon'ble Maulavi MUNAWWAR ALI: It must have been.

Babu RABINDRA NATH ADITYA: When was it published and where?

The Hon'ble Maulavi MUNAWWAR ALI: I think about a year and a half ago.

Babu RABINDRA NATH ADITYA: Was it published in the Gazette?

The Hon'ble Maulavi MUNAWWAR ALI: All the district officers were given copies and I think they might have also been published in the Gazette.

Babu RABINDRA NATH ADITYA: May I know wh is the arbitrator ?

The Hon'ble Maulavi MUNAWWAR ALI: The arbitrator is the District Judge of the Assam Valley, Mr. Hindley.

Babu RABINDRA NATH ADITYA: These poor people who have been forced out from their hearths and homes do not know that there is procedure of arbitration. They take the District Officer's order as the final word.

The Hon'ble Maulavi MUNAWWAR ALI: That is more than what I can say, Sir.

Babu RABINDRA NATH ADITYA: How are the people to know that there is a course of arbitration in case there is difference in the matter of agreement when they have not been supplied with the rules ?

The Hon'ble Maulavi MUNAWWAR ALI: It is always available to any member of the public.

Babu DAKSHINA RANJAN GUPTA CHAUDHURI: Where it is available, may we know ?

The Hon'ble Maulavi MUNAWWAR ALI: Here in the Secretariat and in all District Offices.

Mr. BAIDYANATH MOOKERJEE: Referring to the reply at (*f*) may I ask who are the subordinate staff ?

The Hon'ble Maulavi MUNAWWAR ALI: Subordinate staff include the Sub-Deputy Collector in-charge.

Babu RABINDRA NATH ADITYA: Was it reported to the Hon'ble Minister that these Kanungoes keep the figures in pencil and this gives them a chance to erase the figures at any time before they are put in ink ?

The Hon'ble Maulavi MUNAWWAR ALI: That was not reported to me, Sir.

Babu RABINDRA NATH ADITYA: Was it not reported to the Hon'ble Minister in writing by the people of Patharkandi ?

The Hon'ble the SPEAKER: Order, order, the question hour is over. Further supplementaries will be allowed to-morrow.

Adjournment Motion regarding failure of Government to pay adequate compensation for requisition of properties.

Babu RABINDRA NATH ADITYA: Sir, I beg leave of the House to move that this Assembly do now adjourn to discuss a definite matter of urgent public importance, *viz.*, failure of Government to pay compensation promptly or adequately and to provide necessary accommodation to those persons whose properties have been requisitioned under Defence of India Rule 75A(1) in the district of Sylhet in the years 1943 and 1944.

The Hon'ble the SPEAKER: I wish to know how the Motion is in order. From the terms it appears that the hon. Member is not certain which point is to be discussed. Two points have been stated in the Motion, *viz.*, absence of promptitude in paying compensation and payment of inadequate compensation. But one point can be discussed in an Adjournment Motion.

Mr. A. WHITTAKER: Is it of recent occurrence ?

The Hon'ble the SPEAKER: I shall come to that. First, one point is to be discussed.

Babu RABINDRA NATH ADITYA: Sir, the compensation has been neither prompt nor adequate. The hardships which those persons who have been evicted from their hearths and homes are experiencing, have to be remedied by Government, but the Government failed to do that. That is the whole question. They have neither been paid any compensation, nor have the evictees been provided with any accommodation. Requisition is a necessary incidence of the War efforts but it is up to the Civil Government to grant generous relief to the sufferers, so that their inconveniences and hardships may be reduced to a minimum. This the Government have failed to do, although their attention was drawn to this matter long long ago.

The Hon'ble the SPEAKER: But what is the main point to be discussed ?

Babu RABINDRA NATH ADITYA: The point is that they have neither been granted compensation in a proper way nor have they been provided any accommodation.

The Hon'ble the SPEAKER: The question of adequacy cannot be discussed as the Hon'ble Minister has said that there is a remedy, in the shape of a tribunal, for people suffering from adequacy of compensation. So, that point cannot be discussed.

The Hon'ble Maulavi MUNAWWAR ALI: The hon. Member has got to show how this is a subject-matter for an Adjournment Motion.

Babu RABINDRA NATH ADITYA: The question is that the Assam Government have got a schedule of rates, and compensation is assessed according to that schedule, whereas the Government of India have asked the Provincial Government to assess the compensation on the basis of the actual loss. For example, for a betel-nut tree they pay Rs. 3, whereas the produce for one year now is worth more than Rs. 3. So, the compensation is entirely inadequate.

The Hon'ble the SPEAKER: This will do. Now I want to know how is this urgent and of recent occurrence?

Babu RABINDRA NATH ADITYA: Some of the requisition proceedings were drawn up in 1944, and even after 6, 7, or 8 months the evictees have not received any compensation save and except the shifting allowance varying from Rs. 30 to Rs. 200.

The Hon'ble the SPEAKER: As far as I remember there were questions on this matter during the last March Session of the Assembly, and these things were brought to the notice of the Government then.

Babu RABINDRA NATH ADITYA: After that there were several more such cases in the District of Sylhet and non-payment is still continuing.

The Hon'ble the SPEAKER: How many? Can the hon. Member give facts and figures?

Babu RABINDRA NATH ADITYA: I can, Sir, if it does not infringe the "security" of the province. In the Patharkandi area about 500 families were asked to evict in about January and February last.

*Srijut ROHINI KUMAR CHAUDHURI: Besides, Sir, cases like that of Harendra Nath Sarma, attention whereof was drawn this morning during question-time, are bound to occur on account of failure of prompt payment.

Babu RABINDRA NATH ADITYA: Many compensation cases are lying pending. In spite of requests and reminders nothing has been done to provide any compensation save and except, as I said, the shifting allowance ranging from Rs. 30 to Rs. 200. As for compensation for the *Aus* paddy, that has also not been granted yet. The Central Government's direction is that where it is a question of recurring compensation, this should be paid if possible six months in advance. Not to speak of advance payment, even six months after the harvest is due no compensation has been paid. How then are those people to maintain themselves?

*The Hon'ble Maulavi MUNAWWAR ALI: I submit, Sir, that the Motion is not in order, because it fails to comply with the two essential requisites for an Adjournment Motion. In the first place, the matter is not of recent occurrence. Further the Motion as drafted does not make out any case for its admittance. So, I request you to rule this Motion out of order.

The Hon'ble the SPEAKER: Having heard the hon. Member who has tabled this Motion, and the Hon'ble Minister, I don't think that this Motion is in order, and so I do not give my consent to it. This morning there were numerous questions on the subject, and some answers were given. I have also allowed hon. Members to put more supplementary questions to-morrow, and all the facts which they want to ascertain from the Government will certainly be thrashed out from the supplementaries that may be asked to Unstarred question on the same subject that has been arranged to-day and would come up for supplementary questions to-morrow.

*Speech not corrected.

Adjournment Motion regarding failure of Government to purchase surplus Boro paddy

Babu KARUNA SINDHU ROY: Mr.-Speaker, Sir, I beg leave of the House to move that this Assembly do now adjourn to discuss a definite matter of urgent public importance, *viz.*, failure of Government to purchase the surplus *boro* paddy from Sunamganj and Habiganj *boro* areas.

The Hon'ble the SPEAKER: Now, I have examined all these Adjournment Motions, and it appears that Motions Nos 2*, 3*, 5*, 7*, 10*, and even 17* refer to the same subject. Of course, some of these Motions deal with the subject-matter as a whole, while some other deal with only certain aspects of that.

Voices: We have not got any number on our copies of Motion, Sir.

The Hon'ble the SPEAKER: Very well. Motion No. 3 is from Maulavi Mabarak Ali; Motion No. 5 is from Maulana Abdul Hamid Khan; No. 7 is from Babu Dakshinaranjan Gupta Chaudhuri; No. 10 from Maulavi Muzarrof Ali Laskar, and Nos. 2 and 17 are from Babu Karuna Sindhu Roy. Now, it would appear that Motion No. 17 wants to discuss the question of dispensing with the services of the Eastern Bengal and Assam Commercial Syndicate, who are the Agents of the Government for this purpose for some of the Subdivisions of the district of Sylhet.

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*ADJOURNMENT MOTION No. 2

"This Assembly do now adjourn to discuss the following urgent matter of public importance, namely, the failure of Government to purchase the surplus *Boro* Paddy from the Sunamganj and Habiganj *Boro* areas."

KARUNA SINDHU ROY, M.L.A.
29th October 1944.

*ADJOURNMENT MOTION No. 3

"This Assembly do now adjourn to discuss a definite matter of urgent public importance, namely, the critical position of the Agriculturists in the Surma Valley due to a disproportionate fall in the price of paddy and rice as a result of the Government's procurement policy."

MARABAK ALI, M.L.A.
1st November 1944.

*ADJOURNMENT MOTION No. 5

"This Assembly do now adjourn to discuss a definite matter of urgent public importance, *viz.*, the serious situation created in Sylhet and Cachar districts because of the failure of Government's procurement policy."

ABDUL HAMID KHAN, M.L.A.

*ADJOURNMENT MOTION No. 7

" That this Assembly do now adjourn to discuss a definite matter of urgent public importance, *viz.*, the serious situation created in the subdivision of South Sylhet, because of the failure of the Government's rice and paddy purchasing agents to pay the price of paddy already procured and their refusal to purchase any paddy at the rates given by the Government."

DAKSHINARANJAN GUPTA CHAUDHURI, M.L.A.

*ADJOURNMENT MOTION No. 10

" This Assembly do now adjourn to discuss a definite matter of urgent public importance, to wit the grave and alarming situation created amongst the peasantry in Cachar as a result of the procurement scheme of the Government in the shape of Food Grain Syndicate who being the sole purchasers of rice and paddy are practising fraud on the cultivators for wrongful gain."

MUZARROF ALI LASKAR, M.L.A.

*ADJOURNMENT MOTION No. 17

"That the House do now adjourn to discuss a definite matter of urgent public importance, and of recent occurrence, namely, the failure of the Government to take necessary action against the high-handed activities of the Eastern Bengal and Assam Commercial Syndicate, in spite of repeated representations, deputations and agitation by the Muslim League, the Communist Party, the Krishan Sabha and the general public."

KARUNA SINDHU ROY, M.L.A.

So, the hon. Member himself has tabled two Motions. First he wants to move his Motion (No.2) for the entire matter of Government's failure in their procurement policy in purchasing Buro paddy from Sunamganj and Habiganj and then he would want to move another Motion (No. 17) which concerns activities of the Eastern Bengal Commercial Syndicate.

Then, as regards Maulavi Mabarak Ali's Motion, it is wide enough to include all others.

'This Assembly do now adjourn to discuss a definite matter of urgent public importance, namely, the critical position of the agriculturists in the Surma Valley, due to a disproportionate fall in the price of paddy and rice as a result of the Government's procurement policy.

Then Motion No. 5. It is from Maulana Abdul Hamid Khan. It is practically the same as that of Maulavi Mabarak Ali

'This Assembly do now adjourn to discuss a definite matter of urgent public importance, *viz.*, the serious situation created in Sylhet and Cachar districts because of the failure of Government's procurement policy.'

These are the two Motions which comprise all the other Motions. So it would be better if Maulavi Mabarak Ali or Maulana Abdul Hamid Khan moves his Motion.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: May I make a submission, Sir ? I find that many of the Adjournment Motions relate to the procurement policy of the Government. I wanted to bring a Motion regarding this, but by some mistake of office, notice was not given to this House. So, when I consented to Maulavi Abdul Bari Chaudhuri moving his Motion, all this matter may be taken up then. Therefore instead of taking up these Adjournments Motion, the substantive Motion may be discussed.

* Maulavi MABARAK ALI: There is no such Motion before the House now.

The Hon'ble the SPEAKER: Maulavi Abdul Bari Chaudhuri's Motion has been admitted by me this morning. I want to know if Maulavi Abdul Bari Chaudhuri is going to move his Motion. The Motion is as follows:

"This Assembly is of opinion that the food-grain procurement policy of the Government of Assam be taken into consideration."

Although this Motion is worded in this way, hon. Members will be entitled to table amendments to this Motion to cover all the points they would like to discuss.

* Babu KARUNA SINDHU ROY: When will it be taken up ?

The Hon'ble the SPEAKER: Either on the 14th or 20th. I shall see that this Motion comes up.

* Maulavi ABDUL BARI CHAUDHURI: Sufficient time will be given I think?

The Hon'ble the SPEAKER: Certainly, but hon'ble Members will get only two hours' time if any of the Adjournment Motions is permitted to be moved today.

Mr. A. WHITTAKER: Is it quite certain that there will be sufficient time ? Under the Rules, on days fixed for private Members, the Speaker normally gives precedence to private Members' Bills. But our personal experience is that when we have got such an exhaustive speaker as Srijut Rohini Kumar Chaudhuri, there is no prospect of any Motion or Resolution coming up. Unless you allot some time for private Members' Motions or Resolutions, private Members' right to move Resolutions will be defeated by a resourceful Member like Mr R. K. Chaudhuri.

The Hon'ble the SPEAKER: I do not think Mr. Chaudhuri will be long enough this time

* Srijut ROHINI KUMAR CHAUDHURI: I have since ascertained from the different groups in this House that I was able to explain my view point quite clearly. So I shall not take long time this time.

The Hon'ble the SPEAKER: All Adjournment Motions regarding procurement policy falls through, in view of the fact that Maulavi Abdul Bari Chaudhuri's Motion would come up for discussion either on the 14th or on the 20th during this Session.

* Speech not corrected.

Adjournment Motion regarding eviction and demolition of the houses of immigrants in Bhangbari Fulung in Gauhati Subdivision

Maulana ABBUL HAMID KHAN: This Assembly do now adjourn to discuss a definite matter of urgent public importance *viz.* the eviction and demolition of the houses of over one hundred immigrants in Bhangbari Fulung in Mouza Barbangsar, Kamalpur Circle, Gauhati Subdivision on November 1st, 1944 by the Deputy Commissioner, Kamrnp.

The Hon'ble the SPEAKER: The hon. Member is to show how the matter is urgent and of recent occurrence.

Maulana ABDUL HAMID KHAN: আমার এই প্রস্তাব অতি জরুরী কেননা শতাধিক দরিদ্র কৃষক পরিবারের ঘর দরজা ধ্বংশ করা হইয়াছে এবং তাহাদিগকে জমি হইতে উচ্ছেদ করিয়া দেওয়া হইয়াছে। দেশের মেরুদণ্ড কৃষক—তাহাদের অপরাধ তাহারা পরিশ্রম করিয়া নীজেদের এবং দেশের জনসাধারণের প্রতিপালনের ব্যবস্থা করিয়াছিল। তাহারা কোনই অন্যায় করে নাই, শুধু তাহাদের অমূল্য জীবন রক্ষা করিবার জন্য সেখানে গিয়াছিল। এই সব লোক ব্রহ্মপুত্রের চরে বাস করে। তাহাদিগকে প্রতি বৎসর বাসের জায়গা পরিবর্ত্তন করিতে হয়। এইরূপ শতাধিক পরিবারের ঘর দরজা ভাঙ্গিয়া জমি হইতে উচ্ছেদ করিয়া তাহাদেরকে গৃহহীন করা হইয়াছে।

The Hon'ble the SPEAKER: কবে তাহাদের ঘর ভাঙ্গিয়া দেওয়া হইয়াছে?

Maulana ABDUL HAMID KHAN: এই ১লা নভেম্বরে। তাহাদের কোন সময় দেওয়া হয় নাই। ২৬শে অক্টোবর তাহাদের উপর নোটিশ দেওয়া হইয়াছিল এবং ১লা নভেম্বরে তাহাদের ঘর দরজা ভাঙ্গিয়া দেওয়া হইয়াছে—তাহাদের যাহা কিছু যন্ত্র পাতি ছিল তাহাও সব ধ্বংশ করা হইয়াছে এবং কোদালী, লাঙ্গল ইত্যাদি সমস্ত নদীতে ফেলিয়া দেওয়া হইয়াছে।

The Hon'ble Maulavi MUNAWWAR ALI: Mr. Speaker, Sir,.....

The Hon'ble the SPEAKER: It will be better if the Hon'ble Minister speaks in Bengali so that the hon. Member may understand him properly.

The Hon'ble Maulavi MUNAWWAR ALI মাননীয় সভাপতি মহোদয়, মান্যবর মৌলানা সাহেব যে মুলতবি প্রস্থাব এনেছেন তার আইনগত প্রতিবাদ আমি নিশ্চয়ই করতে পারতেম না, যে সব বৃত্তান্তের তিনি উল্লেখ করেছেন সে সব যদি বৃত্তান্ত বলে প্রমাণিত হ'তে পারত আর তার সঙ্গে ঐ সকল প্রমাণিত বৃত্তান্তের সহায়ে যদি গবর্ণমেণ্টর করণীয় কিছু থাক্‌ত। মৌলানা সাহেবের বিবৃতি যে অতি নিকট অতীতে ঘটিয়া থাকা বৃত্তান্ত সম্পর্কে প্রদত্ত হয়েছে, তাতে সন্দেহ নাই। আর এইরূপ কিছু ঘটিয়া থাকিলে ইহাও যে জনসাধারণের পক্ষে অতি জরুরী বিষয় তাহাও অস্বীকার করা চলেনা। কিন্তু মৌলানা সাহেব একথা স্বীকার করতে বাধ্য যে, যে সব অত্যাচারের কথার তিনি এই সভায় বিবৃতি দিয়াছেন যদিই বা সে সব কথা সত্য হয়, তত্রাচ তিনি সেই জন্য আইনানুসারে গবর্ণমেণ্টকে দোষী সাবস্ত্য করতে পারে না, যেহেতু আইন মত জেলা হাকিমের দ্বারা উচ্ছেদ হওয়া ব্যক্তিবর্গ গবর্ণমেণ্টর নিকট প্রতিকার প্রার্থী হ'তে পারেন না, ইহার প্রতিকারের জন্য তাহাদিগকে সর্ব্বোচচ রাজস্ব আদালতের আশ্রয় নিতে হয়। ইহা আইনের বিধান।

Srijut ROHINI KUMAR CHAUDHURI: On a point of order, Sir, no speeches are allowed after the Hon'ble Minister's admission. There the matter ends.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Only technical matters, Sir, he adds.

Maulana ABDUL HAMID KHAN: আমি এই ঘটনার পূর্ব্বদিন প্রধান মন্ত্রী এবং Revenue মন্ত্রীর নিকট urgent telegram করিয়া stay orders করিতে আবেদন করা সত্ত্বেও কোন কিছু প্রতিকার করা হয় নাই।

The Hon'ble Maulavi MUNAWWAR ALI: মাননীয় সভ্য মহোদয়ের অবগতির জন্য আমি ইহা বলা আবশ্যক মনে করি যে ৩১শে অক্টোবর তারিখে মৌলানা সাহেবের টেলিগ্রাম পাওয়ার সঙ্গে সঙ্গেই আমি কমিশ্নার ও কামরূপের জিলা হাকিমকে টেলিফোনযোগে ঐ টেলিগ্রামের মর্ম্ম জানতে দেই এবং বলে দেই যে জেলা হাকিম যেন স্বাবহিত হন, তিনি যেন আইন ও গবর্ণমেণ্টের নির্দ্দেশ পুংঙ্খানুপুঙ্খরূপে মেনে চলেন আর যদি তিনি এই সকলের ব্যতিক্রম করেন তবে গবর্ণমেণ্ট তাঁহার অনুকূল হ'বেন না। তারপর ৩-রা নভেম্বর তারিখে মৌলানা সাহেবের মারফতে দেওয়া সংবাদ ৬ই তারিখে আজাদ পত্রিকায় দেখতে

পেয়ে আমি তখনই কামরূপের জেলা হাকিমকে আবার ফোনযোগে জিজ্ঞাসা করি, মৌলানা সাহেবের বিবৃতিতে ১লা নভেম্বর তারিখে ঐসব "তাণ্ডব কাণ্ড" ঘটিয়া থাকা সত্য কি না। তিনি আমাকে জানান যে ১লা নভেম্বর তারিখে কোন কিছু হইয়া থাকা সম্পূর্ণ অসত্য। তবে ৪ঠা নভেম্বর তারিখে তিনি স্বয়ং সরজমিতে যান এবং সেখানে দেখতে পান যে তাঁর নোটিশ মত অন্যায়ভাবে জমি দখলকারী প্রায় সবই সেখান হ'তে উঠে গিয়েছে, শুধু ৭।৮ খানা কুড়েঘর রয়েছে এবং শুধু এই ৭।৮ খানা কুড়ে ঘরই ঐগুলির দখলকারীদের সাক্ষাতে, উহাদেরই মত সাপেক্ষে উঠিয়ে দেওয়া হয়েছে। তিনি বলেন যে ঐসকল অন্যায় দখলকারীদের কাহারো কোন কৃষি যন্ত্রপাতি ধ্বংশ করিয়া দেওয়ার কথা বৃত্তান্তের সম্পূর্ণ বিপরীত এবং অযথা। তিনি আরো জানান যে ঐদিনই অন্যায় দখলকারীদের সরদারের ও সহিত পরামর্শ করে উহাদের মত মতই দুকানী রিজার্ভ বলে অন্য একটী উত্তম রিজার্ভে তাদের সবারই জন্য জমি দেওয়া সাব্যস্ত করে "কলনাইজেশন" অফিসারের উপর জমি বণ্টনের হুকুম দিয়েছেন, এবং তাতে তারা সবই খুব খুব সন্তুষ্ট হয়েছে।

Maulana ABDUL HAMID KHAN : আমি আশ্চর্য্যান্বিত হইতেছি যে একটা গবর্ণমেণ্টের পক্ষ হইতে এইরূপ মিথ্যা কথা বলা সম্ভব হইতে পারে। আমি সেখানে উপস্থিত ছিলাম। ২রা তারিখেও Colonisation Officer বা অন্য কোন Officer সেখানে যান নাই। একটা জিলার Deputy Commissioner একজন I. C. S. Officer এইরূপ একটা ঘটনার কথা যে এইরূপ ভাবে অস্বীকার করিতেছেন ইহা বিশ্বাস করিতে আমার প্রবৃত্তি হয় না। আমি বলিতেছি যে আমি যদি এই ঘটনা সত্য বলিয়া prove করিতে না পারি তাহা হইলে আমি আর মুখ দেখাইব না এবং এই Assembly তে কখনও আসিব না।

The Hon'ble Maulavi MUNAWWAR ALI : মৌলানা সাহেব এবিষয়ে আমার সঙ্গে আরো অনেক আলোচনা করেছেন। Deputy Commissioner এর নিকট telegram করা হয়েছে এবং বিস্তারিত report চেয়েছি। সব বিষয় আবার বিবেচনা করা হবে।

Maulana ABDUL HAMID KHAN : আমি গবর্ণমেণ্টের অবস্থা বুঝিয়া হতাশ হইয়াছি। গবর্ণমেণ্ট এরূপ ঘটনার কথা কেমন করিয়া অস্বীকার করিতে পারেন তাহা আমি বুঝিতে পারি না।

The Hon'ble the SPEAKER : আপনি প্রস্তাবটা কি উঠাইয়া নিবেন ?

Maulana ABDUL HAMID KHAN : মন্ত্রী সাহেব বলিয়াছেন যে তাহার পক্ষে যতদূর করার তাহা করিয়াছেন। কিছু করা ত দূরের কথা তিনি আমার ঘটনাই অস্বীকার করিতেছেন। অতএব আমি আমার প্রস্তাব চালাইতে চাই।

The Hon'ble Maulavi MUNAWWAR ALI : আমি আর একটা কথা House এর অবগতির জন্য জানাইতে চাই। যদি Deputy Commissioner কোন কারণে satisfied হইয়া উচ্ছেদ করিয়া থাকেন তবে এই ব্যাপারে গবর্ণমেণ্টের কোনই হাত নাই। আইন অনুসারে Revenue Tribunal এর কাছে যাইতে হইবে। তবে আমরা popular Government বলিয়া এই সব বিষয়ে অনুসন্ধিসু হই। আইন অনুসারে Deputy Commissioner এর সম্পূর্ণ ক্ষমতা আছে এবং পরে Revenue Tribunal এর নিকট আপিল করা যাইতে পারে।

Maulana ABDUL HAMID KHAN : আমি মাননীয় Revenue Minister কে বলিতেছি, যে জমি হইতে উচ্ছেদ করা হইয়াছে সেই জমিটা খাসে অর্ন্তভুক্ত, এখনও Reserve করা হয় নাই, কেবল Reserve করিবার প্রস্তাব করা হইয়াছে। আমি তাঁহাকে জিজ্ঞাসা করি যে গবর্ণমেণ্টের এমন কোন আইন আছে কি না যে যে, সব লোকের জমি নদীতে ভাঙ্গিয়া নেয় তাহাদেরকে নূতন জমি দেওয়া হইবে। ইহা enquiry না করিয়া এইভাবে লোকের ঘর দরজা ভাঙ্গিয়া দেওয়া—গাছ এবং বাশ টুকরা টুকরা করিয়া কাটিয়া ফেলা আইন সঙ্গত হইয়াছে কি ? একশতের উপর পরিবারকে উচ্ছেদ করা হইয়াছে। তাহারা আজিকার দিনে কোথায় যাইবে ? তাহারা কি আকাশে যাইবে ? আমি বলিতেছি যে গবর্ণমেণ্ট অন্যায় করিয়াছেন।

The Hon'ble Maulavi MUNAWWAR ALI : আমি মৌলানা সাহেবকে বলিতে চাই যে গবর্ণমেণ্ট কিছুই করেন নাই। আইন অনুসারে এই ব্যাপারে Deputy Commissioner এর সম্পূর্ণ হাত আছে। Deputy Commissioner যদি অন্যায় করিয়া থাকেন তাহা হইলে Revenue Tribunal এর নিকট appeal করিতে হইবে।

Maulana ABDUL HAMID KHAN : যদি এইসব লোক জমি ছাড়িয়া না যাইত তাহা হইলে Deputy Commissioner গুলি করিয়া তাহাদের হত্যা করিত। তখনও কি গবর্ণমেণ্ট Deputy Commissioner এর কার্য্য সমর্থন করিতেন ?

The Hon'ble the SPEAKER : Does the hon. Member want to withdraw the Motion ?

Maulana ABDUL HAMID KHAN : Enquiry করিয়া ঘটনা যদি সত্য প্রমাণ হয় তাহা হইলে গবণমেণ্ট compensation দিতে রাজী আছেন কি ? ঘটনা যাহা হইবার হইয়া গিয়াছে। এইসব গরীব লোকের এখন আর কিছুই নাই। যদি গবণমেণ্ট তাহাদের ক্ষতিপরণ দিতে রাজী হন তাহা হইলে আমি আমার প্রস্তাব উঠাইয়া লইব। এইসব লোক খুব বিপদাপন্ন হইয়া পড়িয়াছে সেইজন্য এই বিষয়ে বিবেচনা করিবার জন্য আমি মাননীয় Revenue Minister কে বিশেষ ভাবে অনুরোধ করিতেছি।

The Hon'ble Maulavi MUNAWWAR ALI : সমস্ত বিষয়টাই যদির উপর। আমি এই কথা মৌলানা সাহেবকে assurance দিতে পারি যে Deputy Commissioner এর report যদি satisfactory না হয় তাহা হইলে আমি নিজে যাইব এবং যাহা দরকার হয় করিব।

Khan Bahadur Maulavi KERAMAT ALI: May I know whether the Hon'ble Minister is prepared to make a magisterial enquiry ?

The Hon'ble Maulavi MUNAWWAR ALI: I have already ordered for an enquiry—twice on the phone, once through the Commissioner and for the 4th time I have sent an exhaustive telegram for a report. If I find it necessary, I will personally enquire in the locality.

Khan Sahib Maulavi MUHAMMAD AMIRUDDIN: Sir, I want to speak a few words on a very important matter that is agitating my mind and the hon. Members of this House. The Hon'ble Revenue Minister has said that he had been to Gauhati twice or thrice to enquire about this fact and in spite of his successive telegrams sent to the Deputy Commissioner of Kamrup, it has been so found that nothing tangible has yet been done, but on the contrary the eviction is going on.....

The Hon'ble the SPEAKER: According to law.

Khan Sahib Maulavi MUHAMMAD AMIRUDDIN: Yes, Sir, in a manner that is causin g extreme hardship. Is it not up to the Hon'ble Minister to go personally and make enquiry about the allegations made.

The Hon'ble the SPEAKER: I don't think that the Motion is in order. I gave a ruling on this subject, when an Adjourment Motion was sought to be moved by Srijut Ghanashyam Das on the allegation that the Government did not pass orders stopping eviction of immigrant trespassers into the lined area in Barpeta Subdivision. I then said: "I have heard the hon. Members who have given notice of this Motion and the Hon'ble Minister in charge. From what it has been said by the Hon'ble Minister in charge and also the hon. Mover of this Motion I hold that this Motion is not in order. It proposes to discuss a matter which is related to a very big question, *i. e.*, the question of line system and from time to time Government have taken certain actions in regard to the question. It appears from what has been said by the Hon'ble Minister that Government have formulated a certain policy and to discuss a question like this relating to that policy in the form of an Adjournment Motion is not in order. The policy should be discussed as a whole. Such piece-meal discussion of various matters pertaining to that policy by means of an Adjournment Motion is not proper. The Motion therefore stands disallowed."

Now, by this Adjournment Motion the Maulana Saheb has complained that certain persons were evicted forcibly by Government. There are also other Adjournment Motions which say that Government allow occupation of certain areas to the detriment of the interests of graziers and other people.

While this Motion wants to censure Government for evicting people from areas where their occupation was unauthorised, the other Motions want to censure Government for having allowed unauthorised occupations. These evictions are being done

according to law as has been admitted. So I do not give my consent to this Motion being moved.

Adjournment motion *re* withdrawal of permission to hold Muslim League Meetings in the Sylhet District

Maulana ABDUL HAMID KHAN : আমি অদ্য House এই মুলতবি প্রস্তাব আনিতেছি যে সিলেটের Deputy Commissioner মৌলভীবাজার এবং সিলেটে Muslim League এর সভা নাকচ করিয়া আদেশ দেওয়ার জন্য এই House এর সমস্ত কার্য্য স্থগিত রাখা হউক।

বিগত ২৮শে এবং ২৯শে তারিখে—২৮শে তারিখে মৌলভীবাজার এবং ২৯শে তারিখে সিলেটে Muslim League এর সভা করিবার জন্য সিলেটের Deputy Commissioner অনুমতি দিয়াছিলেন। সেই জন্য আমি সেখানে যাই। সেখানে গিয়া আমি জানিতে পারিলাম যে গভর্ণমেণ্ট টেলিগ্রাম করিয়া সভা বন্ধ করিয়া দিয়াছেন। Muslim League বেআইনী প্রতিষ্ঠান নয় তবুও কেন এই সভা বন্ধ করা হইল ইহা আমি বুঝি না। বর্ত্তমানে দেশের যা অবস্থা হইয়াছে তাহাতে কেবল মিটিং করা ছাড়া আর কোনই উপায় নাই। বর্ত্তমানে আমাদের কোন কিছু করিবার অধিকার নাই এখন meeting করিবার অধিকারও ক্ষুন্ন করা হইতেছে। আমাদের যা অবস্থা তাতে এমন কি ঘরে আগুন লাগিলেও কেবল চিৎকার করা ছাড়া আমাদের অন্য কিছুই করিবার উপায় নাই। আমরা বেআইনী কিছুই করিতে যাই নাই। দেশের বর্ত্তমান অবস্থায়, জনসাধারণের মনের দুঃখের কথা গভর্ণমেণ্টকে জানাইবার জন্য এবং ঐসব বিষয়ে গভণমেণ্টের দৃষ্টি আকর্ষণ করিবার জন্য এই সভা ডাকা হইয়াছিল—অন্য কোন উদ্দেশ্য নয় তবুও গভর্ণমেণ্ট এই সভা বন্ধ করিয়া জনসাধারণের অধিকার ক্ষুন্ন করিয়াছেন ?

The Hon'ble the SPEAKER : এই কি গভণমেণ্ট meeting করা প্রথম বন্ধ করিলেন না আগেও করিয়াছেন ?

Maulana ABDUL HAMID KHAN : এর আগে আরো ৪টা meeting হইয়াছিল তাহা গভর্ণমেণ্ট বন্ধ করেন নাই।

The Hon'ble The SPEAKER : এই meeting নয় অন্য কোন meeting গভর্ণমেণ্ট বন্ধ করেছেন কি না ?

Maulana ABDUL HAMID KHAN : Muslim League এর meeting বন্ধ করেন নাই।

The Hon'ble the SPEAKER : জনসাধারণ বা কংগ্রেস যদি কোন meeting করতে চায় এবং গভণমেণ্ট যদি meeting করা বন্ধ করে দেন তবে সেটাতে আপনি আপত্তি করবেন কি না ?

Maulana ABDUL HAMID KHAN : নিশ্চয়ই, যে কোন রকম meeting বন্ধ করাতেই আমার আপত্তি আছে।

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Mr. Speaker, Sir, মৌলানা সাহেব তার বক্তৃতায় বলেছেন যে গভণমেণ্ট থেকে টেলিগ্রাম করে এই meeting বন্ধ করে দেওয়া হয়েছে এই জন্য তিনি এই মুলতবী প্রস্তাব এনেছেন। কিন্তু প্রস্তাবে যে wording তাতে তিনি বলেছেন যে Deputy Commissioner meeting বন্ধ করেছেন। আমি জানি Sylhet এর Deputy Commissioner আইন মত meeting বন্ধ করেছেন। মৌলানা সাহেব আমাদের প্রাদেশিক Muslim League এর সভাপতি হিসাবে সিলেটের নানা জায়গায় meeting করতে চান এবং Sylhet এর Deputy Commissioner ও তাহাকে meeting করবার অনুমতি দেন। উনি প্রথমে meeting করলেন করিমগঞ্জে। সেই meeting এর report যা Deputy Commissioner পেয়েছেন তাতে দেখা যায় মৌলানা সাহেবের বক্তৃতা অত্যন্ত আপত্তিজনক হইয়াছিল। তিনি গভণমেণ্টের বিরুদ্ধে বলেন, রক্ত প্রবাহের জন্য জোর দেন এবং তাহার বক্তৃতায় উভয় communityর হিন্দু মুসলমানের ভিতর ভেদাভেদ ভাবের সৃষ্টির সম্ভাবনা ছিল।

Maulana ABDUL HAMID KHAN: Shame—একথা একেবারেই মিথ্যা।

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: এই রিপোর্ট পাইয়া Sylhet এর Deputy Commissioner মৌলানা সাহেবের বিপক্ষে অভিযোগ আনয়ন করিবার জন্য হুকুম দিয়াছেন এবং অন্যান্য যায়গাতে ঐভাবে—যাতে লোকের মনে বিদ্বেষ ভাব আসে ঐরূপ প্রচার না করিবার হুকুম দিয়াছিলেন। গভর্ণমেণ্টের যত আইন আছে সে সব আইন মতই Deputy Commissioner এর এইরূপ হুকুম দিবার অধিকার আছে। তিনি আইন মতই meeting করা বন্ধ করিয়াছেন, কোন অন্যায় অযুহাতে নয়। সেই কার্য্যের জন্য মুলতবি প্রস্তাব আনিয়া গভণমেণ্টকে ভর্ৎসনা করা উচিত নয়। আমি Chief Secretary কে বলেছি মৌলানা সাহেবের speech Advocate General এর নিকট পাঠাতে এবং যদি তিনি মত দেন তাহলে মৌলানা সাহেবকে prosecution করা হবে। Deputy Commissioner prosecution এর হুকুম দিয়াছেন এবং হয়ত অভিযোগ আনা হইয়াছে। এমন অবস্থায় যদি Deputy Commissiener একবার meeting করবার অনুমতি দিয়া আবার সেটা withdraw করেন তার জন্য গভণমেণ্ট দায়ী হইতে পারেন না।

The Hon'ble the SPEAKER: Having heard what has been said regarding the Motion, I don't think that it is in order. In this connection, I may remind the House that in the previous Session a similar Motion was moved by Babu Karuna Sindhu Roy, but I did not give my consent to it. I am afraid, exactly on such grounds I cannot give my consent to the Motion.

There are other Government business to be transacted to-day; and if the time of the House in this way be taken up for disposing other Adjourment Motions they cannot be taken up. So I would like that the Government business be taken up now. If there be time after finishing Government business, I shall take up other outstanding Adjournment Motions to be disposed of.

Complaints *re* non-receipt of rationed articles by the Members of the Assembly

Srijut BELIRAM DAS: May I make a statement, Sir, regarding our ration? Yesterday we went to the Assembly office and got our permits for ration. But those permits were not complete and we were not supplied with the necessary ration in the market. We also got our license for coke for cooking our food, but the stockist did not give us coal or coke. In day time to-day we could not practically have our meal. We did not also get mustard oil. On enquiry I found that some *badam* oil was available. Under the circumstances, it is very difficult to remain in Shillong.

Mr. BAIDYANATH MOOKERJEE: This is the case throughout the whole Province. Why does the hon. Member bring this to the notice of Government?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am sorry that the hon. Members have been put to difficulties. But they must remember that Shillong has been rationed. If they had given notice of their coming to Shillong and of their number, surely ration cards would have been issued to them. Probably they did not give such notice. All that I can say now is that I would ask Miss Swer, the Assistant Rationing Officer to issue ration cards at once. It would have been much better if hon. Members had sent their names direct to the Secretary who would have issued necessary instructions to the rationing officer.

Srijut BELIRAM DAS: We applied previously and our permits were prepared. But the shop-keeper said that they were not complete and that he could not issue the ration. As regards coal, the coal supplier could not supply the same.

The Hon'ble the SPEAKER: I hope the Hon'ble Premier will look into the matter. It is certainly causing inconvenience.

Srijut ROHINI KUMAR CHAUDHURI: We are being supplied with *badam* oil which, I think, has come from Madras where the people use it.

Dr. C. G. TERRELL: If you allow me, Sir, I would like to say something on mustard oil.

The Hon'ble the SPEAKER: The hon. Member has already put certain short notice questions. He must wait till they are answered.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am afraid, I cannot allow those short notice questions.

The Hon'ble the SPEAKER: In that case, the hon. Member may speak.

Dr. C. G. TERRELL: Mr. Speaker, Sir, I welcome the opportunity of drawing the attention of Govermnnt to mustard oil adulteration.

It may be recalled that some years ago I had the privilege of addressing this House on the subject of mustard oil, particularly in relation to argamone contamination, which is the proved cause of epidemic dropsy, and concluded with a plea that consideration be given to the suggestion that the whole mustard oil industry should be placed under Government control and that this commodity should only be sold under licence in the same way as country liquor, with similar provisions in relation to imported oil.

Apart altogether from the possibility of argamone contamination, it is a fact that a large quantity of the mustard oil at present being retailed in this Province emanating from controlled and uncontrolled sources is of poor quality, often adulterated and contaminated, and is highly injurious to the unfortunate consumer. It is probably true to say that much of it is not mustard oil at all.

Consumption of this unwholesome substance results in various forms of bowel diseases, and indirectly, different toxic effects on the individual dependent on the types of adulteration. Apart altogether from the direct toxic effect of this adulterated oil, it must be remembered that its food value is also negatived, and as we have to depend on mustard oil for the essential fat constituent of the diet of the population, it will be appreciated how serious is its loss.

I have no hesitation in saying that the proportion of highly adulterated and contaminated mustard oil in this Province at the present time is a high one ; that it is highly injurious to health and is indirectly contributing to continued malnutrition, and hindering those who are seriously trying to bring about higher standards of nutrition generally.

If any doubt exists in the minds of hon. Members as to the veracity of these statements, I have with me three reports on recent samples of mustard oil taken at random and sent to the Public Analyst, Assam, for analysis. In every case the verdict is "highly adulterated mustard oil unfit for human consumption"; also in one report he specifies a particular adulterant.

In conclusion, may I again appeal to Government to give this important matter their earnest and early consideration. (*Hear, hear.*)

The Hon'ble the SPEAKER: I take, the Hon'ble Premier is going to speak.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Can I reply, Sir ?

The Hon'ble the SPEAKER: It will be better.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, we are obliged to the hon. Member for bringing to the notice of the House the condition of the mustard oil that is being sold in the Province of Assam. I presume that all the three samples which he submitted to the Public Analyst were from the Surma Valley. Am I correct ?

Dr. C. G. TERRELL: Yes, Sir.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Unfortunately in the Surma Valley, there is neither much mustard seed grown, nor any oil mill excepting a small one in Karimganj.

In order to bring this daily necessity in the dietary of the population, we asked the Government of the United Provinces to send us one lakh maunds of mustard oil to Government account and the mustard oil that is now being sold in the Surma Valley comes from that source, that is, sent by the Government of the United Provinces to the Government of Assam. If there is any adulteration, most probably it is adulterated at the source and not at the retail shops in Assam. All I can say is this that we will

forward to the Government of the United Provinces statements made on the floor of this House by no less a person than Dr. Terrell and the other hon. Members. We have got no Inspector in United Provinces to see that the commodity that we get from that Province are not adulterated oil. If the stuff had come through private organisations, probably we would have heard much more but it is a commodity which is being sent by one Government to another Government.

So far as the rest of the Province is concerned—the Assam Valley—there are as many as 22 oil pressing mills who have formed themselves into an Association. I have asked the Association to issue mustard oil to different parts of Assam according to the necessity and under the specific control of the Deputy Commissioner of Gauhati.

I am sorry to hear that mustard oil is not available in Shillong.

The Hon'ble the SPEAKER: It appears there are some Adjournment Motions on this subject also.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I spoke personally to the Deputy Commissioner of Gauhati the other day to see that Shillong is well supplied with mustard oil. He told me that since this arrangement was made, on account of certain misunderstanding between the supply staff here and the importers, certain quantity of oil was not being imported by the Shillong traders. But from last month very nearly a total quantity of 1,000 tins per month has been brought to Shillong.

That is all I can say, Sir.

Presentation of Appropriation Accounts and Finance Accounts for 1942-43

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I beg to present the Appropriation Accounts and Finance Accounts for 1942-43.

Presentation of the Report of Public Accounts Committee on the Appropriation Accounts for 1942-43

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I beg to present the Report of the Public Accounts Committee on the Appropriation Accounts for 1942-43.

Presentation of Supplementary Statement of Expenditure for 1944-45

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I beg to present a *Supplementary Statement of Expenditure for the year 1944-45.

The Hon'ble the SPEAKER: In connection with this matter, I would like to draw the attention of the hon. Members to the fact that voting on the Supplementary Demands will come up on the 18th November. The date for tabling Cut Motions is the 14th November and it should be done up to 3 P.M. A time-table for Supplementary Demands has been prepared and hon. Members have been supplied with a copy of it. If anybody wants to see the time-table, the Secretary of the Assembly would be glad enough to show the time-table to the hon. Members at the Assembly office.

Presentation of a † Note on the Financial Situation of the Province for 1943-44

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I beg to present a note on the present financial situation of the Province with reference to actuals for 1943-44.

Message from the Assam Legislative Council *re* the Assam Revenue Tribunal Bill, 1941

The Secretary, Assembly Department: Sir, the following message has been sent by the Secretary, Assam Legislative Council:—

"In pursuance of rule 106 of the Assam Legislative Council Rules, I am directed to inform you that the Bill to provide for the constitution of a Revenue Tribunal

*See Appendix "A"
†See Appendix "B"

which was passed by the Assam Legislative Assembly at its meeting held on the 29th November 1943, was passed by the Assam Legislative Council at its meeting held on the 31st March 1944, with the following amendments, namely :—

(1) In clause 3,—

(*i*) In clause (*b*) of sub-clause (3) after the word "non-official" the following words were inserted—

"Who has been for not less than ten years a pleader, advocate, or barrister, or who has for at least ten years held a judicial office in British India not inferior to that of a subordinate Judge".

(*ii*) In sub-clause (3) the following was added as clause (*c*)—

"(*c*) No person shall be appointed or retained in the post of President or non-official Member after he has attained the age of sixty years".

(2) In clause 7 after the word "appeal" where it first occurs the words "or revision" were inserted.

(3) The following was added as item 9 to the Schedule—

"9.	The Assam (Temporarily-Settled Districts) Tenancy Act, 1935 (III of 1935).	1. Application under section 83 (2). 2. Application under section 102".

2. The Assam Legislative Council request the concurrence of the Assam Legislative Assembly to the amendments."

Sir, under rule 135 of the Assam Legislative Assembly Rules, I lay on the table the Bill as amended by the Assam Legislative Council.

The Bill was already circulated to the hon. Members.

Presentation of the *Report of the Select Committee on the amen ments to the Assam Legislative Assembly Rules

The Hon'ble Khan Sahib Maulavi MUDABBIR HUSSAIN CHAUDHURI: Mr. Speaker, Sir, it has been decided not to pursue the matter for the present in view of the improved position in the war situation (*hear hear*). So, Sir, I do not want to present the report or propose any amendment with regard to the question. I hope, Sir, that in that case it will be open to Government to pursue the matter if they so desire in future.

Adjournment

The Assembly was then adjourned for lunch till 2 P.M.

(*After Lunch*)

Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1944

The Hon'ble Maulavi ABDUL MATIN CHAUDHURI: I beg to introduce the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1944.

I beg to move that the Bill be taken into consideration.

This Assam Sales of Motor Spirit and Lubricants Taxation Bill, was passed in 1939, and it came into operation on 1st July 1939. By this Act a tax was levied on the retail sale of Motor Spirit and Lubricants at the rate of two annas and three annas per gallon respectively. But when the Act came into operation it was found that certain companies which purchased their petrol wholesale and used it in their own cars did not pay this tax on the plea that the use of petrol in their own cars did not come under the definition of retail sale. That created an anomaly. When they sold to consumers the tax was realised but when they used in their own car they avoided paying the tax. In order to remove this defect this amendment is made and I move that this be taken into consideration.

*See Appendix "C".

The Hon'ble the SPEAKER : Motion moved :

" That the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1944, be taken into consideration."

Then I take it that no debate is going to be held on this Motion. I am putting it as a question.

The question is :

"That the Assam Sales of Motor Spirit and Lubricants Taxation (Amendment) Bill, 1944, be taken into consideration."

The question was adopted.

Now I am taking up the consideration of the outstanding Adjournment Motions.

Adjournment Motion *re* damage to properties by Military in Karimganj Subdivision for installation of telephone connections

Khan Bahadur Maulavi MAHMUD ALI : Sir, I beg leave to move that this Assembly do now adjourn to discuss a definite matter of urgent public importance, namely, the critical situation created by cutting trees, bamboos and damaging the houses of the people indiscriminately for the installation of telephonic connections by the Military Department without any notice to the people in the Karimganj Subdivision.

Mr. Speaker, Sir, I am bringing before this hon. House a matter which has created horror and panic amongst the people of Karimganj where recently a telephonic line is being installed throughout the Subdivision from Badarpur towards Sylhet. A strip of land, about 100 ft. in breadth, is being rapidly cleared of all valuable trees, houses etc., without any previous notice or information whatsoever to the owners. A number of Military people appearing all on a sudden at a particular house, commence felling trees, cutting jungles and demolishing houses to the utter surprise and panic of the people. A slight objection by the owner is rewarded with insult and humiliation. Under the existing laws of the land, acquisition notices etc., for vacating the area requisitioned are not served. No body knows when his house will be demolished also.

The Hon'ble the SPEAKER : The hon. Member is not to deliver a speech.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : When did the occurrence take place ?

Khan Bahadur Maulavi MAHMUD ALI : The operation is still going on.

The Hon'ble the SPEAKER : Can the hon. Member give the date on which the operation began ?

Khan Bahadur Maulavi MAHMUD ALI : I cannot give the exact date. For 20 days it is going on and to-day also the work is going on somewhere in the Sub livision.

The Hon'ble the SPEAKER : Is this being done without giving notice to people concerned ?

Babu KAMINI KUMAR SEN : Till this morning it is going on. Absolutely without any notice to the house owners it is still going on.

Maulavi MABARAK ALI: Only six hours' notice is given.

Khan Bahadur Maulavi MAHMUD ALI : After the cutting of trees, etc., by the Military people some of the owners received notices.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : I had no information nor did I receive any intimation about these occurrences from any quarter till I received notice of this Adjournment Motion, yesterday. Immediately, I enquired of the Revenue Secretary whether he had any information about the occurrences. Excepting for the fact that there were complaints many months ago about the Signal Unit cutting jungles and bamboos in order to run a telephone line somewhere near Churkhai, up till now, we have no report whatsoever. If the Military are putting up a new line either telephone or telegraph, they are empowered both under the Telegraph Act, as well as under the Defence of India Rule 78 (2) to carry out whatever necessary to maintain communication. We are not at all concerned and we have not been informed by the Military of their intention to make this line. But if any specific instance is given, I will surely take it up with the right quarter, namely, the Military Department.

The Hon'ble the SPEAKER : Does the hon. Member wish to press his Motion ?

Khan Bahadur Maulavi MAHMUD ALI: Sir, I do not think it proper to stop here. I would like to discuss the matter.

The Hon'ble the SPEAKER: With what purpose ?

Khan Bahadur Maulavi MAHMUD ALI: Really the public are in difficulty and Government have not taken any action.

The Hon'ble the SPEAKER: What more facts can the hon. Member place before the House ?

Khan Bahadur Maulavi MAHMUD ALI: Sir, it appears that there is no law and order in the Province. Some people in *khaki* dress can do whatever they like; if a child goes to them they kick him. If the house-holders intervene, they are insulted. Such things create panic and undermine the morale of the people. Just like giants these "*khaki dressed*" people appear and do whatever they like. The people therefore think that there is no Government at all.

The Hon'ble the SPEAKER: I think the Hon'ble Premier has realised the situation and he has said that he will take action in the matter.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: If the hon. Member gives specific instances, I will take them up with the Military Department.

Mr. BAIDYANATH MOOKERJEE: May I know one thing from the Hon'ble Premier ? Under the Defence of India Rule 78(2) just now referred to by him, is no notice required to be served on the parties for cutting their trees and demolishing their homesteads ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Normally notice is given, but in a war emergency, it is difficult to predict what length of time will be given in the notice.

Mr. BAIDYANATH MOOKERJEE: Are we to understand that the Military Authorities can do anything and everything affecting the civil population, without consulting either the Deputy Commissioner or the Subdivisional Officer concerned ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Yes, Sir, the Deputy Commissioner cannot prevent the Military if they want anything to be done immediately or urgently.

Mr. BAIDYANATH MOOKERJEE: Then the question comes to whether anything is necessary to be done immediately or not. In this case, Sir, some operations are going on for the last several days. It may be that on the first day, the Military Authorities could not consult the Civil Authorities. But when the operations are going on for some days, I think, it is the duty of the Government to find out why no timely notice, was served on those persons who are being harassed in this way, and from whose houses valuable properties are being removed without notices ?

The Hon'ble the SPEAKER: What does the hon. Member propose to do ?

Khan Bahadur Maulavi MAHMUD ALI: I want to press it, Sir.

The Hon'ble the SPEAKER: From what has been said by the hon. Member who has sought leave to move this Motion, this matter appears to me to be an urgent one of recent occurrence and as he is not prepared to withdraw his Motion for leave even after the assurance given by the Hon'ble Premier, I have no other alternative than to give my consent to this Motion. The Motion is in order. Does the Hon'ble Premier object to this Motion being discussed ?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: No, Sir.

The Hon'ble the SPEAKER: No other Member objects to this Motion being moved, I think.

(*After a pause*)

Then the Motion will be discussed at 3 P.M., to-day.

The Hon'ble the SPEAKER: The next *Motion is in the name of Srijut Lakshesvar Borooah. He is not in his seat now. Srijut Mahi Chandra Bora has got an identical Motion standing in his name. He may move his.

* "That this House do now adjourn to discuss a definite matter of urgent public importance of recent occurrence to wit recent prevalence of diseases like jaundice, beriberi, dysentery, diarrhoea in an epidemic form among the residents of Dibrugarh town for using unwholesome food materials issued from the Government controlled stock at Dibrugarh and failure of Government to stop the issue of such stuff".

Adjournment Motion *re* failure of Government to prevent sale of decomposed and adulterated Food-stuffs

Srijut MAHI CHANDRA BORA: Mr. Speaker, Sir, I beg leave of the House to move that this House do now adjourn to discuss a definite matter of urgent public importance, *viz.*, the utter failure and indifference on the part of Government to prevent sale and distribution of decomposed food-stuffs (controlled) and highly adulterated mustard oil in the Assam Valley districts.

Sir, I understand that the Assam Valley Supply Syndicate is responsible for the supply and distribution of some of the controlled commodities, such as, *atta*, *maida*, *dal* of some varieties, salt, etc., to the consumers through the wholesalers and retailers. But the stuffs are highly decomposed, and *dal*, *atta* and *maida* are full of maggots, worms and dirt. By use of all these articles the health of the people has greatly deteriorated; some unknown diseases have also made their appearance, and people have fallen victims to them. Beriberi, dysentery, diarrhoea and stomach troubles are complaints of most of the people. Various representations have been made to the Hon'ble Premier and the District Authorities against supply of such unwholesome food-stuffs, but up till now no action has been taken.

The Hon'ble the SPEAKER: Since how long is this going on?

Srijut MAHI CHANDRA BORA: This is continuing, Sir. Even day before yesterday, when I left my place, I and some members of my family had to vomit out the contents prepared out of some such stuff supplied to us. I dare say, Sir, that even the ingenuity of the experienced cook of Sir Muhammad Saadulla will fail to boil the *dal* supplied by this Agency, and make it edible. I am obliged to Dr. Terrell, for his mention of the highly adulterated mustard oil supplied. The fate of the Assam Valley people in the matter of supply of pure mustard oil is none the better.

The Hon'ble the SPEAKER: This will do, I think. Let me hear the Hon'ble Premier.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, this Motion is really not in order, first on the fact that this is not a case of recent occurrence and the hon. Members did not table such grievances earlier.

(*Voice:*—As a matter of fact, the trouble still continues.)

The Hon'ble the SPEAKER: They have got a recurring cause of action.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: In the first place, Sir, the Distributing Agency have no duty of procurement whatsoever; they only do distribution. The commodities, which my hon. Friend has mentioned, are purchased at different parts of India by the Government Agents, Messrs. Shaw Wallace and Company of Calcutta, a highly respectable and reputed firm, and these are sent out to the various parts of Assam. The Distributing Agents simply receive the stuff and distribute the commodities. Therefore, they are not at all at fault, if the stuff is bad; either it was bad at the source or it became bad on account of the humid condition of Assam. Up till now, wherever I have been, *viz.*, from Dibrugarh to Gauhati, in my last tour about two months ago, people complained about the bad quality of *dal*. I have seen a sample which has been issued by this Distributing Agency from the stock that came into their hands from the previous distributors. I want that the *dal* that is procured be inspected, before it is despatched, by some reliable people—either officers of Government or by officers of the supplying Company, Messrs. Shaw Wallace and Company. If, after this, the position does not improve, then I want to try some other Agency, who will be asked to supply to the Province of Assam, *dals* of a superior quality, of which samples should be left with the Supply Department. For the present, no samples are obtained. We simply ask Messrs. Shaw Wallace and Company to supply us so many maunds of *dal*. Sometimes, they supply from the Central Provinces, sometimes from the United Provinces and sometimes from Bihar. Every step to remedy the defects which my hon. Friend has mentioned so far as *dal* is concerned has been taken.

As regards *atta*, he could not have complained but for the fact that most probably he got *atta* which was milled in Assam. Last year, the Government of India,

insisted that we should keep three thousand tons of wheat in the Province as a reserve stock. Partly on account of bad storage, the process of storing not being known to the people of Assam—the wheat had been deteriorating. At this stage, I referred the matter to India but even then they would not agree to this stuff being milled into *atta* in Assam. I took the responsibility into my own hands, brought some wheat to Shillong and had it milled, and part was milled at Gauhati. Some of the *atta* which was milled from this wheat, turned out to be bad. We represented to the Government of India to increase our quota, they raised it to 20 thousand tons, all of which was milled in Calcutta by Messrs. Shaw Wallace and Company and this *atta* was quite good. I am sorry for the discomfort caused to Mr. Bora, and I hope that under the new arrangement all the wheat that will be issued by Government of India will be milled in Calcutta and brought to Assam as quickly as possible.

As regards mustard oil, I have already mentioned that so far as Assam Valley is concerned the stock that is being issued by the Assam Oil Mills' Association is reported to be good and not much adulterated. My hon. Friend is wrong in saying that mustard oil in the Assam Valley is an imported stuff. Government do not import from outside. They only control the distribution of what is produced in oil mills in Assam Valley. All the steps that were necessary to be taken has been taken by Government and I would have given facts and figures if Mr. Lakshesvar Borooah had moved his Motion. His Motion, so far as Dibrugarh is concerned, makes specific mention of different diseases.

The Hon'ble the SPEAKER: That can still be done.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: As soon as I received notice of the Motion, enquiries were made by telephonic communication with Dibrugarh. I doubt whether I shall be in order to bring this matter up.

The Hon'ble the SPEAKER: You will be quite in order.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: In Mr. Lakshesvar Borooah's Motion great stress has been laid on the prevalence of diseases like jaundice, beriberi, dysentery and diarrhoea among the residents of Dibrugarh town for using unwholesome food materials issued from Government stock at Dibrugarh.

Srijut LAKSHESVAR BOROOAH: May I be allowed to make a submission?

The Hon'ble the SPEAKER: Not now. After the Hon'ble Premier finishes.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: It would have been better if I had heard my hon. Friend first. However, the report that we received from the Civil Surgeon of Dibrugarh is that jaundice is commoner than usual in Dibrugarh, and the Civil Surgeon reports that it is also commoner amongst the Europeans and the Military personnel. There is no jaundice in the jail which gets its food from the Government stock. The Military do not take any food from the Government Distributing Agents but they are also suffering from jaundice. Therefore, the cause must be elsewhere rather than the issue of so-called bad food-materials from Government Distributing Agency.

About beriberi, the Civil Surgeon reported that there is no case up till now.

As regards dysentery, no great increase is reported from the Dibrugarh town. There has been an increase in the jail, due, in the Civil Surgeon's opinion, to increase in the number of under trials from Sylhet and Bengal, who are in poor health and many of whom are opium eaters.

As regards diarrhoea, there is no great increase reported from the Dibrugarh town. There has been increase of typhoid. The Civil Surgeon is in constant touch with Dr. Gogoi who reports on any epidemic condition. The diseases, so far as the Civil Surgeon is aware, is present not in an epidemic form in Dibrugarh.

When this is the position in the Dibrugarh town, where certain diseases have appeared among the Europeans, as well as the Military, whereas the jail population who are entirely dependent on issues from the Government Distributing Agencies are free, we cannot lay the blame of the prevalence of these diseases to food-stuffs that the people are taking. As I have already mentioned, that every steps are being taken by Government for improving the quality of food-stuffs that have been imported, I hope my hon. Friend, Mr. Bora, will see his way to withdraw the Adjournment Motion.

Srijut LAKSHESVAR BOROOAH: Mr. Speaker, Sir, I am sorry that I could not formally move my Adjournment Motion because I was under the impression that the Adjournment Motion will be taken up day after to-morrow.

Sir, I beg leave of the House to lay the following facts. On the 25th of October last, I met two eminent physicians of the Dibrugarh town, in the persons of Dr. P. M. Ghosh, I.M.S., and Dr. Prabhat Chandra Das M.B., D.T.M.; both of these gentlemen have extensive practice in Dibrugarh. They are definite about the fact that jaundice, beriberi, dysentery and diarrhoea and other allied diseases are due to the use of unwholesome stuff, issued from the Government contolled stock of the Assam Valley Supply Syndicate.

The Hon'ble the SPEAKER: The Hon'ble Premier has given opinion from the Civil Surgeon.

Srijut LAKSHESVAR BOROOAH: I met Dr. B. C. Gogoi, the District Health Officer, Dibrugarh, and he was of the same opinion. He also met me and told me that those diseases are due to use of the unwholesome materials issued from the Government stock.

The Hon'ble the SPEAKER: The Hon'ble Premier has read out the report of the Civil Surgeon.

Srijut LAKSHESVAR BOROOAH: I do not know what the Civil Surgeon has reported, but Mr. Gogoi, the District Health Officer, personally told me that he was certain about the causes of the widespread prevalence of the diseases. After I met Dr. Ghose and Dr. Das on the 25th October, on the 26th October, I sent a letter to the District Supply Controller, Mr. Fletcher, stating all these facts—explaining that the stuff supplied recently was unfit for human consumption and that he should take immediate steps to check the stock and discard the unwholesome stuff from the stock. On the 27th, I met Khan Sahib Saifuddin Ahmed who is the Assistant Controller of Rationing and is responsible for the issue of good food-stuff to the people of the Dibrugarh town. He said that he agreed that such stuff were issued from the Government controlled stock but all his suggestions to discard such stuff met with rebuff from the District Supply Controller.

Soon after the Supply Syndicate took up this job of distribution of food-stuffs many cases of diseases mentioned above appeared. Subsequently, I wrote a letter to Mr. Marar, the Supply Secretary in the last week of August last, stating all these facts of unwholesome food-stuff supplied to the people of Dibrugarh from the stock and urged upon him to take immediate step to discard that stock of food-stuff. But, I am sorry to say that not to speak of taking prompt action, he had not the courtesy to reply to my letter. During the visit of the Hon'ble Premier on the last occasion to Dibrugarh, nearly a month ago, I brought to his notice all these matters and asked him to take steps. He told me that the District Supply Officer had absolute power to check and discard the unwholesome stuff from the stock. I acted accordingly only to be disappointed. How long the issue of such food materials would continue, I do not know. As a result of this sort of supply there are on the 6th November 1944, about 12 to 13 cases of dysentery, diarrhoea, etc., within $\frac{1}{4}$ of a square mile of my residence. I request the Hon'ble Premier to take immediate step and to order the District Officer to discard the unwholesome stuff from the stock of the Assam Valley Supply Syndicate.

Mr. BAIDYANATH MOOKERJEE: Sir, I want to make one observation. The Hon'ble Premier says that he has taken step to make better arrangement and he cited the example so far as wheat is concerned. The wheat that we shall get now from the Government of India will be milled in Calcutta and then sent to Assam as promptly as possible. Well and good; but there is another point which is this—being too much eager and vigilant to keep a reserve, Government do not issue some food-stuffs which are supposed to be kept for emergency, but subsequently they get spoiled and become unfit for consumption. Will the Hon'ble Premier see that such things do not occur? There are several instances of the occurrence of such things and one of them happened in Shillong under the very nose of the Hon'ble Premier, some months ago. So, this policy should be abandoned. Only fresh supply from outside will not solve the problem. The Government should see that the

food-stuffs are promptly issued and distributed to the consumers before they become unfit for human consumption. What is the good of stocking for emergency if the commodity becomes unfit for human consumption ? Stocking of rotten and decomposed food-stuffs will serve no good, rather it will amount to a crime.

Srijut BELIRAM DAS: I want to speak a few words, Sir, on this matter. What I find at Gauhati is that unhusked wheat is being milled there and then distributed among the people. When this *atta* is sieved, we get only three powas per seer, whereas we have to pay for the full one seer and as a result of which people are suffering a loss. So, I request that only husked wheat should be milled instead of the unhusked wheat at the Gauhati town.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: Mr. Speaker, Sir, what Mr. Lakshesvar Borooah has stated is quite correct. He saw me while I had been to Dibrugarh about a month ago. Before I saw him, I had a general discussion with the officers of the local Supply Department, Deputy Commissioner and the representatives of the general and trading public. I came to realise that there was a local feud between the Officer of the Supply Department and the Extra Assistant Commissioner in charge of supply which led to some unauthorised action on the part of both. When Mr. Borooah asked me what was the real position of the Supply Officer, who had been appointed, I promptly replied that we had created that sort of posts, feeling quite sure that the Deputy Commissioners, who are already overworked and had not sufficient time at their disposal to look into supply matters, would be greatly relieved from the supply work. These matters, they had left, in some cases, in the hands of the Extra Assistant Commissioners and in some cases, the Sub-Deputy Collectors and in order to relieve them from the duties of inspection, checking, and control, we have appointed this class of officers. The Superintendent's work is the general supervision in place of the Deputy Commissioners. During the discussion, the varieties of *atta* that the supply Extra Assistant Commissioner brought before me was quite wholesome, whereas the Superintendent stated that it was bad. It was stated by one party that this *atta* contained an admixture of *arhar dal*, a stock which was condemned and made available for cattle consumption. Some enterprising party got hold of that stuff, mixed it with wheat and pounded into adulterated *atta*. I got a sample from the Rationing Officer who asserted that the *atta* was quite bad. I could not make any chemical analysis of it, but testing by the tongue it did not produce the taste of *arhar dal*.

Mr. Speaker, Sir, I could not be dragged into the local dispute as to the relative merits or status of the post of Rationing Officer, the Supply Superintendent and the Extra Asisstant Commissioner in charge of supply but I do assure this House as I assured my hon. Friend Srijut Lakshesvar Borooah that every attempt will be made for harmonious and co-operative action between these officers so that the public get the best benefit from them.

Mr. Baidyanath Mookerjee is quite correct in saying that the intention and executive instructions of the Government are not often carried out. It has been laid down by me that the old stock should be issued for consumption as a soon as a new stock arrives and the new stock should be kept in reserve but I was told that this did not happen particularly in Sylhet for the receipts there were quite heavy and the old stock were not issued. We gave strict instructions to the Sub Deputy Collector, Mr. Majumdar, that he will see personally that the new stocks are kept in stock while the old stock is issued if they are good and fit for human consumption for sale to the public.

Lastly, I hope my Friend Mr. Beliram Das will not have the same trouble now hat arrangements have been made that all the wheat will be milled, outside the Province, in Calcutta. But even now every household knows that the *atta* we get contains a higher percentage of bran than pre-war. Here we have got no hand. As I said before, every step will be taken by the Supply Department under my guardianship to see that better quality of food-stuffs are imported from outside and that our Distributing Agents do not keep them for long so that they may not deteriorate and issue them to the public quickly. As every step possible has been taken, I hope my hon. Friends will see their way to withdraw their Adjournment Motions.

The Hon'ble the SPEAKER : Does the hon. Member press his Motion ?

Srijut MAHI CHANDRA BORA: Sir, I want to make some submissions. I do appreciate the assurance given by the Hon'ble Premier but there are parties and agencies who are determined to defeat the intention and instructions of Government and I am constrained to remark that this Assam Valley Supply Syndicate is one of them. I am told that some persons connected with this Syndicate are responsible in adulterating the stuffs in their stock with some unwholesome things. Messrs. Shaw Wallace and Company have been responsible for the supply of food-stuffs to tea gardens but their stock is not so bad as the food-stuffs that have been supplied by this Syndicate. Sir, the House will be surprised to hear that *gur* supplied by this concern is so bitter and emit such foul stench that even ants are scared away (*laughter*). Sir, when District Authorities are approached for remedy, they say that they are helpless. People are under the impression that there are some high persons either as patrons or partners or shareholders of the Syndicate and therefore nothing could be done against them. However Sir, the Hon'ble Premier has given me an assurance that he will issue instructions to the District Authorities to see that the unwholesome food-stuffs are not distributed to the wholesalers or to the retailers. I also request him to issue instructions to the District Authorities, the Local Boards and the Municipal Boards to see that the sellers are prosecuted and persecuted. If he gives me that assurance, then I will beg leave of the House to withdraw the Motion.

Mr. F. W. BLENNERHASSETT: Mr. Speaker, Sir, would I be in order if I suggest that condemned and unwholesome food-stuffs should be absolutely destroyed. If this is not done, and done under proper supervision, it will be sold as cattle food or something else, as the Hon'ble Premier told us just now, and mixed with a portion of good food by some profiteer it will be sold as wholesome food; so I do urge destruction under proper supervision.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am obliged to the hon. Speakers for the ventilation of local grievances. As to the suggestion made by Mr. Bora that those people who adulterate food-stuff should be prosecuted, and adulterated food-stuff destroyed, I assure both Mr. Bora and other hon. Members that if any proof is brought home that anyone adulterates the food-stuff, I will at once cancel his licence. I seek public co-operation in this matter, and hope that they will give me their co-operation.

As regards the question regarding adulterated *gur*, my Hon'ble Colleague-the Minister-in-charge of Medical Department—brought me a sample of *gur* which was being sold in Shillong. I looked at the sample and found that it was of dark colour. I made an enquiry into the matter and found that that particular consignment of *gur* came from the United Provinces and was brought into our Province by our agent—Messrs. Shaw Wallace & Co. But they were not responsible for its bad quality because it took three months for the consignment to reach Assam as it was brought by steamer. There was no railway wagon available at that time, and long detention of it in the steamer holds deteriorated the *gur* and its colour to some extent. When we reported about it to the Government of India, they were good enough to give us an extra quota of 3,000 tons or 87,000 maunds. I distributed permits to ten different parties from different parts of Assam. I am told that this *gur* was quite satisfactory. The Government of India have again been pleased to allot a further quota of 5,000 tons of *gur* for Assam. Their letter was received by me only yesterday and I had no time to go into the details of it. On account of transport situation, the Government Agent—Messrs. Shaw Wallace & Co. alone should be allowed to import the *gur* into Assam. From past experience, I hold the view that whatever the difficulties about transport may be, it will be better to distribute the *gur* through private bodies provided they inform the Deputy Commissioner and the Subdivisional Officer that they would sell it at the controlled rate. The matter is pending. Now, I give the assurance, as my hon. Friend Mr. Bora wanted, that I will issue strict orders to the District Officers to destroy anything that is found bad and to see that those, who are responsible for selling such unwholesome product to the people, are properly dealt with.

The Hon'ble the SPEAKER : On the assurance given by the Hon'ble Premier, I take it that the hon. Member does not press his Motion.

Adjournment Motion *re* refusal of Government to allow extraction of thatch from Majuli, an Unclassed State Forest

Srijut SURENDRANATH BURAGOHAIN : Mr. Speaker, Sir, I beg to move that this Assembly do now adjourn for the purpose of discussing a definite matter of urgent public importance, namely, the situation resulting from utter confusion now prevailing among several thousands of Sibsagar villagers while attempting to extract thatching grass for domestic use from Brahmaputra *Chapari*, an Unclassed State Forest, in Majuli, owing to the failure on the part of the Deputy Conservator of Forests, Sibsagar Division, to facilitate such customary and lawful extraction.

Sir, in this month of *Kartik* the villagers of Upper Assam cut thatch from the Government forest for the annual repair of their houses and they have the statutory right to do it under the Rules of the Forest Regulation. Of course, they must use them for domestic purpose and for home consumption. They are not allowed to sell them or to dispose them otherwise. Sir, so far as the villagers of Sibsagar are concerned, they get the supply of thatch for these purposes from the *Chapari* or island of the Brahmaputra known as the Majuli. But though they can cut the thatch, they are not allowed to carry them to the mainland across the Brahmaputra unless they obtain permits from the Divisional Forest Officer. In this particular case, there are many thousands of villagers who have cut thatch, but because the Divisional Forest Officer of Sibsagar has refused to move to the spot and because they could not produce satisfactory proof of their title to cut thatch, they have not been able to remove the thatch. Sir, it is very important for the villagers to cut thatch before they are engaged in gathering in the harvest because they will have no more time until the harvest is over. So far there are about 3,000 villagers who have cut thatch in the *Chapari* but I have got the information that only three permits have been issued so far. These villagers live at distances of 30 to 50 miles from the Divisional Forest Office and on account of the travelling difficulties in these days, they cannot easily approach the Divisional Forest Officer. So, my suggestion is that the Divisional Forest Officer should evolve a summary process by which he should entrust his subordinates to issue necessary permits to the villagers, so that they can remove the thatch that has been cut. Unless something of this nature is done immediately, the villagers will be deprived of thatch for repairing their houses which is very important.

That is the situation which is at once urgent, definite and of public importance, for the discussion of which I crave the indulgence of the House.

The Hon'ble the SPEAKER : Is it of recent occurrence ?

Srijut SURENDRANATH BURAGOHAIN : Yes, Sir. It is still continuing.

The Hon'ble the SPEAKER : Very well. Whether the Motion is in order or not will be discussed again on Monday next. As it is now 3 P.M. we shall now take up the Adjournment Motion of Khan Bah dur Maulavi Mahmud Ali.

Adjournment Motion *re* damage to properties by Military in Karimganj Subdivision for installation of telephone connection

Khan Bahadur Maulavi MAHMUD ALI : Mr. Speaker, Sir, I beg to move that this Assembly do now adjourn to discuss a definite matter of urgent public importance, namely, the critical situation created by cutting trees, bamboos and damaging the houses of the people indiscriminately for the installation of telephonic connections by the Military Department without any notice to the people in the Karimganj Subdivision.

Sir, it appears that the Military Authorities have made an alignment for a telephone line in the Karimganj Subdivision. They are taking possession of a strip of

land about 100 ft. wide along the old line through paddy fields, vegetable fields, homesteads and houses of the people without any previous notices having been served either by the Military Authorities or the Civil Authorities. All on a sudden, they took to cutting down valuable trees, bamboos and demolishing houses for the purpose.

Mr. A. WHITTAKER: What I cannot make out is that why a strip of land measuring 100 ft. is required to construct a telephone line? It seems to me rather excessive.

Khan Bahadur Maulavi MAHMUD ALI: Sir, it may be argued that the Telegraph Act or the Defence of India Rules empower them to do so, but is it not the duty of the Government to allow the people sufficient time to vacate and make necessary arrangement of their own? But, neither the Military Authorities nor our Provincial Government took any steps to ameliorate the distress of the people in this respect. I think, it is the primary uty of the Government to look to the interest of the people and to give them protection by all means, but they have failed to do so.

With these words, Sir, I commend my Motion for the serious consideration and acceptance of the House.

The Hon'ble the SPEAKER: Motion moved:

"That this Assembly do now adjourn to discuss a definite matter of urgent public importance, namely, the critical situation created by cutting trees, bamboos and damaging the houses of the people indiscriminately for the installation of telephonic connections by the Military Department without any notice to the people in the Karimganj Subdivision."

Any other Member to speak anything on the Motion.?

Babu KAMINI KUMAR SEN: Mr. Speaker, Sir, having had the advantage of some personal experience about the matter which has just been raised by my hon. Friend Khan Bahadur Maulavi Mahmud Ali in the Adjournment Motion, I take this opportunity of making some observations in whole-heartedly supporting the Motion that has been placed before the House.

Sir, from that personal experience I can certify that in the course of a month or so, from Badarpur to Churkhai—a distance of about 30 miles—a strip of land about 100 ft. wide has been cleared of all bamboos, jungles, houses, valuable trees and everything that can be found over that land for the purpose of construction of a telephone line. I saw some of the localities personally and talked to some of the people affected thereby. The very first thing that struck me was that though for a construction of a telephone line there is still enough road-side land and there was absolutely no necessity for taking over so much land, such vast tracts of land, mostly homesteads, have been cleared of all houses and trees without any previous notice. As has been rightly pointed out by my friend Mr. Whittaker it is still a mystery to laymen like us why to construct a telephone line along the side of the old line, a strip of land measuring 100 ft. width is considered necessary?

Now, Sir, in doing this, the Military Authorities have given absolutely no notice to villagers nor to the Civil Authorities. They began demolishing their houses, cutting down their trees practically without making any measurement.

Sir, it seems to me that three questions arose out of this matter. First of all, as I have already pointed out, that the telephone line could have been constructed in almost all the places within the road-side land already available without encroaching on any body's land and as such in many places there was no necessity for taking over any land. It will also be corroborated by the fact that in many places the new telephone posts have been posted within 50 ft. of the old line and a considerable strip of cleared land is lying vacant. If that vacant strip was not cleared many homesteads could have been spared. The second question that arises is that absolutely no notice of such action was given to any body. Though the preparation was going on for sometime before, the Military did not care to inform anybody about their intention of constructing a line or giving any notice to the house-holders.

The result is that a great panic has been created among the villagers by this sudden and unwarranted encroachment on their lands and homesteads. Absolutely without any notice the Military people went to their houses and began to cut the trees

and to demolish the houses without asking permission from anybody, without consulting anybody, without taking any officer of the Civil Authorities with them and as I said, without caring to make any measurement even whether the particular point is within 100 ft. or not. This is the most dangerous part of the whole thing. I admit, Sir, that if there is any necessity for construction of a telephonic line and if a paticular strip of land is absolutely necessary, certainly, Government have a right to take that in this war emergency. But I think, Sir, only that land which is absolutely necessary should be taken and in all fairness, the people should get sufficient notice from the Military Authorities that their houses are going to be demolished and trees being cut. I have also seen places where paddy crop also was being damaged by dragging of these copper wires. In most of the places, crops could have been spared, if they had waited for another six or eight days as the crop was almost ripe for harvesting. But, Sir, they did not care to wait nor did they care to consult anybody. If anybody went to them for making any objection, very often they resented their interference.

The third point that I like to raise about this matter is about compensation. The first point that I have raised is that most of the land has been unnecessarily taken, the second is that it has been done absolutely without notice though the preparation was going on for a long time and the third is about compensation. The Hon'ble Premier says he does not know anything about this. But, Sir, I heard that the Sub-Deputy Collector and some Kanungoes, went to the localities to make a survey of the land and the trees cut, and houses demolished. So, it seems, the Local Authorities are aware of these things. I understand that for the purpose of compensation, they were only taking note of the number and description of trees cut or houses demolished in a particular homestead. But they refused to take into consideration the fact that the value of a particular homestead is impaired by cutting of the trees or by damaging or demolishing the houses or destroying the privacy thereof.

It is, I think, very unfair if in such cases only the price of a few trees and bamboos or the houses that have been damaged is given. By cutting of the trees, many of the dwelling houses have been practically rendered useless, for the purpose they were used for centuries. So, in assessing compensation the question of impairing the value of the homestead should also be taken into consideration.

The fourth and the last point that I would like to urge upon the Government is about the procedure to be followed in such case. I know that the Military are required to acquire land for construction of telegraphic lines, telephonic lines, petrol lines or for some other purposes. But I would urge upon the Government to insist on the Military Authority to give the affected persons as well as to the Civil Authority proper notices and they should also ask the Military to have one Civil Officer to accompany them when such things are done.

These are the observations I should like to make and with these words, I wholeheartedly support the Motion before the House.

Maulana ABDUL HAMID KHAN: খান বাহাদুর মহম্মদ আলি সাহেব যে মুলতবি প্রস্তাব এনেছেন আমি তাহা আন্তরিক ভাবে সমর্থণ করিতেছি। কিছুদিন পূর্ব্বে আমি Surma Valley তে মৌলভীবাজার, হবিগঞ্জ, করিমগঞ্জ হাইলাকান্দি প্রভৃতি অঞ্চলে যাহা দেখিয়াছি তাতে জনসাধারণের উপর এরূপ অন্যায় অবিচার ও তৎসঙ্গে অত্যাচারের ব্যবস্থা করা—মিলিটারী বা যে গভর্ণমেণ্টের দ্বারাই হউক না কেন—সম্ভবপর বলিয়া আমার বিশ্বাস করিতে প্রবৃত্তি হয় না। আমি দেখিয়াছি যে পানের বর ও তরি-তরকারী একেবারে নষ্ট ও নির্ম্মূল করা হইয়াছে। অধিকাংশ লোক বাড়ী ছাড়া হইয়া রাস্তায় দাড়াইয়াছে। আমি তাদের জিজ্ঞাসা করিয়াছিলাম যে তারা কোন নোটীশ পাইয়াছিল কি না। তারা বলিয়াছে যে তারা কিছুই জানিত না—নোটীশও পায় নাই। হঠাৎ মিলিটারীর লোক গিয়া তাদের চলিয়া যাইতে বলে এবং তারা বাধ্য হইয়া বাড়ীঘর ছাড়িয়া চলিয়া আসিয়াছে। রাস্তার ধারে যথেষ্ঠ স্থান ছিল সেখান দিয়াও Telephone line নেওয়া চলে কিন্তু তাহা করা হয় নাই। যুদ্ধের বিরুদ্ধে আমাদের মত নাই বরং যুদ্ধের ব্যাপারে সকল প্রকার সাহায্য করিতে আমরা চেষ্টিত কিন্তু যুদ্ধে সাহায্য করার নামে আসামের অধিবাসীদের ধন সম্পত্তি নষ্ট করা কার্য্যে আমরা সমর্থণ করিতে পারি না। জনসাধারণকে নির্ম্মূল করবার অধিকার

military বা অন্য কোন গভর্ণমেণ্টের নাই। জনসাধারণের সম্পত্তি এইভাবে অনিষ্ট করিয়া যদি জাপানী দস্যুদের সঙ্গে যুদ্ধ করিতে হয়—তাহা হইলে আসাম নষ্ট হইয়া যাইবে এবং জনসাধারণ নির্ম্মূল হইয়া যাইবে। এরূপ ব্যবস্থার আমি পক্ষপাতি নই।

Babu RABINDRA NATH ADITYA: Sir, in support of this Motion of my hon. Friend Khan Bahadur Maulavi Mahmud Ali I would only add a few words to what has been said. Years ago these questions were raised by the Congress Working Committee and in their Resolution, the Congress Working Committee foresaw the eventualities that would arise in course of the War. And the Government of India published a communique on the 4th August 1942 in which they stated as follows:—

"The criteria for the assessment of compensation enumerated in the Congress Working Committee's Resolution are recognised both in law and practice, and the reports of the Provincial Governments show that they are fully alive to the importance of the following principles:—

'Compensation should be paid on the spot and promptly.

Compensation should be on as generous a scale as possible and shall take into account the inconvenience caused in addition to the actual value of the property'.

Longest possible notice of requisition or evacuation should be given.

Evacuation and requisitioning should be under the personal supervision of the Collector".

But the professions differ entirely from the practices followed in Assam. Particularly with regard to installation of telephone line no notice whatsoever is being given. It might so happen that the owner of the house is away and only the female members are there in the house. All on a sudden some Military persons and labourers would trespass into the house and indiscriminately cut all sorts of trees and impair the privacy of the house. In the Karimganj Subdivision, it may be known to many of the Members, lacs of betel-nut trees are grown and this is the time for collection of betel-nuts. They are now ripe on the trees. If only one day's notice had been given to those people whose trees were required to be felled, they could have plucked the betel-nuts.

But this has been denied to them absolutely, and most of the trees that are felled are taken away in lorries by the Military. We represented these things to the local Civil Authorities. As usual, their reply was that some officers would be deputed to assess compensation. But although a month has passed since the felling of trees, even on the day before I started for Shillong, I have been told that no responsible officer visited that locality. Only Kanungoes went there and demanded money offering to put a higher value of the loss. These Kanungoes and Amins are trading on the adversity of the people. I advised the people not to pay any tips. The result was that their loss has not yet been assessed, or any valuation made as to the number of trees cut.

Then, as regards the valuation, Sir, it is very curious that while the Central Government urge that actual loss should be ascertained, and inconvenience caused should be taken into account, we find a different practice followed by the Local Authorities in assessing compensation. They have got an old 19th century schedule of rates, perhaps, under the Land Acquisition proceedings, and they continue to follow that chart. It was perhaps one rupee for each betel-nut tree, and two annas for each pine-apple bush. Though the value of things have changed a good deal in the meantime they are still sticking to those anti-diluvian rates.

The Hon'ble Maulavi MUNAWWAR ALI: Did the hon. Member say one rupee for each betel-nut tree ?

Babu RABINDRA NATH ADITYA: It was so; my information is that after the intervention of the Hon'ble Revenue Minister it has been raised to rupees three but that is also ridiculously low. Perhaps the Hon'ble Minister hails from a Subdivision where there are few betel-nut trees; otherwise he would have known that these betel-nut gardens are a good source of income in the Karimganj Subdivision.

Babu KAMINI KUMAR SEN: Is it not a fact that ten times the value of fruit-bearing trees is given in case of land acquisition ?

The Hon'ble Maulavi MUNAWWAR ALI: It might be so since the middle of last year. But not ten times; this is an exaggeration.

Babu RABINDRA NATH ADITYA: As for the trees, compensation is assessed with reference to the girth of a tree without any reference to its length. If the girth is, say, 6 ft. the man will get rupees six no matter whether the length is 4 ft. or 40 ft. This ridiculous practice is still being observed in assessing compensation, and no notice whatsoever is taken of the actual loss and inconveniences suffered. We know that by clearing the bush and the trees which form a screen for the house, the privacy of the house is impaired, and it sometimes becomes impossible, particularly for Muslim families to continue to live in that homestead lying exposed on the side of the road any more. These inconveniences of the people which the Central Government emphasised to be taken into consideration are entirely ignored. This is why I say that our Government are callous and indifferent to the suffering and hardships caused to the people as a result of requisitioning their hearths and homes necessitated by the war effort

Then, Sir, about these rules for compensation, the people are entirely ignorant. The Kanungoes prepare a paper and ask people to sign it if they want any compensation. The people thinking that this is an order of Government to which they are bound to submit put their signatures, and this is styled as an agreement between the Government and the people! This is an absurd position. The people do not know that they have a right to take the matter to arbitration. Nor it is also possible to fight upto the arbitration stage for a question of Rs.50 or Rs.100.

The Hon'ble Maulavi MUNAWWAR ALI: On a point of order, Sir. Is the hon. Member speaking on the Motion before the House? Perhaps he is speaking on the Motion which he wanted to move, but which you ruled as out of order.

The Hon'ble the SPEAKER: He is speaking on the Motion before the House, and his observations are relevant.

Babu RABINDRA NATH ADITYA: If the rules are meant for domestic guidance of the Ministers and their Local Officers, let them remain in their confidential files. But I must ask the Hon'ble Minister whether he thought it desirable to publish these rules in the Gazette or elsewhere? Are not the public entitled to know the laws of the land? Even the lawyers did not know what advice to give, and so, under the circumstances the people had to reconcile themselves with the amounts graciously sanctioned by the Sub-Deputy Collector. Well, Sir, these things leave a bitter trace in the minds of the people and, by undermining their morale, hamper the war effort. So, it is necessary for the Civil Government to be alert and see that minimum of injury is caused to the people. They should see that the laws of the land are obeyed by all concerned. They should publish these rules about requisition and compensation in the Gazette for the information of the people. If our Government were prompt and if compensations were paid on a generous scale, as was the intention of the Central Government, the people would not have grudged the denial necessitated by the war. They would have co-operated voluntarily in the matter. I therefore, submit, Sir, that this requisitioning process should be such that minimum inconvenience is caused and compensation is liberal and prompt. If this is done, people will voluntarily co-operate with the Military Authorities and provide facilities to them for doing their work.

With these words, I support the Motion moved by hon. Khan Bahadur Maulavi Mahmud Ali.

Maulavi MABARAK ALI: I rise to support the Motion that has been moved by Khan Bahadur Maulavi Mahmud Ali. That is a Motion which must be very painful to me, coming as I do from Karimganj, not only because of the extraordinary nature of the proceedings, but because of the fact that many families who are related to me have been rendered homeless; their valuable trees have been cut down; their properties have been damaged without assigning any reason and without giving them any notice.

Sir, we are going to be assured every day that the Defence of India Act will not be an oppression of the India Act (*sic*). But what do we find everyday? It has been made an instrument for the persecution of the innocent people. We protest here against the new and extensive use of the Defence of India Act. But our protests as recorded in cold prints are powerless to convey to Government a little of our pain and anguish which gnaws at our hearts when we think of our people who have been rendered homeless and who have been deprived of their property without any notice.

Sir, it is said that security of life and property are the great actors upon which rests the vast and the stupendous fabric of the British rule in India. But what becomes of this great vaunted boon of personal security when we find that at any moment we may be rendered homeless, at every moment we may be deprived of our properties, without any notice. That is a procedure so totally un-English and un-British.

Sir, if I had the power and ability to place before the hon. Members of this House the scenes of sadness and desolation pervading every family in Karimganj Subdivision—if I could place before the House the acuteness of the pain and anguish of the people of the Karimganj Subdivision—if I could place before the House what the future impression will be, if things like these are allowed to go on in this way, I hope,—why hope.—I am sure that the Motion that has been so ably moved by my friend Khan Bahadur Maulavi Mahmud Ali will meet with heartily support from every quarter of the House.

With these few words, I support the Motion moved by my friend Khan Bahadur Maulavi Mahmud Ali.

Mr. BAIDYA NATH MOOKERJEE: Sir, I rise to support the Motion; but, Sir, when I remember the statement made by the Hon'ble the Prime Minister, at the time when the hon. Mover of this Motion begged leave of the House to move his Motion that the Military Authorities can take possession of any land or any homestead even without consulting the Civil Authorities under rule 78 (2) of the Defence of India Rules, I feel that it would have been better on the part of the Hon'ble Prime Minister to let us know the wordings of the rule. Sir, suppose for argument's sake that the rule is such that the Military Authorities, for the sake of emergency can take possession of any land or any house, but as this action of the Military Authorities is going on for days together, it cannot be urgent for all these days. Sir, we know of instances—particularly I myself know of one instance because I was the sufferer, that even a closed house was broken open, and all the belongings were looted here in Shillong, the capital town of the Province. But I must admit that there was some courtesy that after three days I was informed about the occupation that for the sake of urgency my house was broken open. Sir, in this case, when these poor people are being ousted from their homesteads and their valuable trees are being cut, I think, it would have been the duty of the local Civil Authorities to find out the real cause why no notice was served on them, and it would have been quite fit on their part to take initiative at the right time and not to allow us to bring this Adjournment Motion before the House. Sir, I do not think that the Provincial Government is so very helpless and hopeless as the Hon'ble Prime Minister expressed. Sir, just to give him a handle I can say this much that there is a feeling among the people that if they are treated in this way—if they cannot save their property, if it is taken away and destroyed by force, if their dwelling houses are demolished without any notice, if they are driven out of their houses and they have to take shelter under the trees and embankments of railway lines, and to starve,—what more calamity can occur to them if the enemy enters the country and do the same thing. If they die under this Government in this way, they shall die the same death under some other Government or under some other administration or in the hands of the enemy. It is the duty of this Government to bring to the notice of the Central Government all these feelings of the people and that if they want to keep the morale of the people, the Military Authorities must consult the Civil Authorities who are directly responsible for the safety of the people and for maintenance of law and order of the Province. Sir, it is a matter of pity that this Provincial Government which is trying its level best to help in war efforts in all possible way, is being treated in such a way. Had it been the case of Section 93 Administration or any other Government where the Government would not have been quite sympathetic, I could realise that there were sufficient reasons on the part of the Military Authority not to consult the Provincial Government; but the case is quite contrary here. Sir, my friend was fighting on the point of compensation. This morning, while we were putting supplementary Questions to some Unstarred Questions, most unsympathetic replies we got from the Hon'ble Revenue Minister saying that there is a better course open to them. If they do not agree, let them go for arbitration. Sir, I did not expect this from the Hon'ble Revenue Minister specially when he

comes from a poor Subdivision like Sunamganj—poor in the sense that most of the inhabitants of that place are peasants. (Voices—*rich subdivision.*) Some of my hon. Friends are interjecting to say that that is not a poor Subdivision, but rich. It might be that there are a few rich persons that the war has created and there might be a set of new aristocrats and there might be some big men by the grace of this war and also having an Hon'ble Minister. But I still venture to say that it is not a rich Subdivision where majority of the inhabitants are peasants. Sir, to whom these poor people will go and ask for their compensation, whether the Military authorities or the civil authorities who forcibly occupied the land and the houses. From the questions that have been put to-day it is quite clear how they are being harassed. But in this case these poor people do not know to whom they are to approach for the compensation. Sir, I think that before we take up the question of compensation the present method of approaching the authorities for compensation should be made perfectly clear to the general public. It has been said and rightly said by one hon. Member of this House that the Hon'ble Revenue Minister said that there are rules for all this purpose. But even the lawyers do not know what are those rules. Sir, when the Hon'ble Minister has said like this, I do not like to use the language which Maulana Abdul Hamid Khan used this morning, but I venture to say that it is false and that it may be in the files of the Hon'ble Minister and nobody else knows it. Sir, there are many lawyers who are also the Members of this House and I dare say that none of them will be able to say what are those rules. The other day also we heard when there was a case in the town of Sylhet that as there was no rule published by the Provincial Government, it was difficult on the part of the arbitrator who could not take up the case and the date was changed. I understand, Sir, it is high time that they should publish these rules and should see that the people of the Province who have sent their representatives here and the representatives who have made their Ministers, are well looked after for their safety and security. With these words, Sir, I support the Adjournment Motion moved by my hon. Friend the Khan Bahadur.

Babu DAKSHINA RANJAN GUPTA CHAUDHURI: Mr. Speaker, Sir, I did not like to intervene in the debate at this stage, but this affair has become almost a terror not only to the Karimganj Subdivision but to some other Subdivisions, especially the South-Sylhet Subdivision. Any body who visits or passes through the Surma Trunk Road from Maulvibazar to Sherpur will bear witness to that effect. It has come to the people almost like the approach of Borgis. The lands are acquired or requisitioned not under the Defence of India Act but under the *julum* act. I would not delay the proceedings of the House by referring to the points raised by the hon. Members, but I may bring to the notice of the hon. Members and the Hon'ble Premier one single instance that occurred near the Maulvibazar town. It is not with regard to the demolition of houses or cutting of trees without the consent or knowledge of the owners. It was a far more serious affair. It was about 10 A. M. one day while the male members of a house were absent on some duty, about 40 to 50 Military telephone operators surrounded that house. They wanted to dishonour the women of the house. It was for the good services of the S.D.O. and other people that the honour of those women could be saved. If the Government of the Province cannot protect the honour of the women it is better that we should not have any Government. I would appeal to the Hon'ble Premier to take note of that instance and put the matter before the Military authorities so that such occurrence may not take place in future.

I also support my Friend Mr. Sen on the points he has raised. I have myself visited some places where there were cases of cutting down of trees, spoiling the water of the ponds and damaging the houses. In some places people ran about in fear with their womenfolk and children. So, I would request the Hon'ble Premier to see that at least a few days' notice is given to the people before trees are cut down and he should be in touch with the Military authorities so that any space or area which is absolutely needed in connection with telephone operation, is requisitioned by the authority and nothing is done so haphazardly to create a bad blood between

the Military authorities and the civil population. I would also appeal to the Hon'ble Premier to arrange for the payment of compensation on a summary basis as suggested by Mr. Whittaker. With these words, I commend the Motion for the acceptance of the House.

Mr. A. WHITTAKER : Mr. Speaker, Sir, I shall take two minutes on this Motion. First of all we must agree that, from the facts stated by so many hon. Members from their personal knowledge, someone on the Army side has blundered in taking possession of property for erection of this telephone line in such a summary fashion. This kind of thoughtlessness has happened before and will happen again. The Hon'ble Minister's problem now is to undo as quickly as possible any damage that has been done. He can do this quite easily if he is prepared to regard this case as a simple human problem rather than a complicated revenue case. I would, therefore, suggest first to the Hon'ble Minister to have an immediate survey made by a responsible officer who is not likely " to demand tips" from persons who have lost their trees and crops and part of their homesteads. The second thing is to ask the District Officer to pay, on behalf of the Central Government, a flat rate of compensation immediately and make a final payment for damage done as soon as this has been accurately ascertained. Thirdly, although the Land Acquisition Act cannot be applied in such cases, the sound principle in that Act of 15 per cent. additional compensation for compulsion should be followed.

Sir, I hope the Hon'ble Minister is not going to say that his Government is quite helpless in the matter. The Hon'ble Minister has not even the excuse that he is spending the Assam Government's money, for the Deputy Commissioner is going to pay out the Central Government's money. I therefore suggest to the Hon'ble Minister that he should dispose of this case in as summary a manner as the Army occupation of the land for this telephone line.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA : Sir, no one sympathises more than I with the sufferers who have lost their valuable belongings and some of them have also lost parts of their houses and some have been made homeless. I cry shame upon that party of Military men who committed that incident mentioned before this House by my Friend Mr. Dakshina Ranjan Gupta Chaudhuri, but sentiment should not play a part in coming to a decision on the present Motion. This is an Adjourment Motion and every one knows by an Adjournment Motion the Ministry is brought into ridicule or censure for certain deficiency and delinquency of theirs. I therefore want to make the point perfectly clear. Sir, as far as requisitioning and acquisitioning of property for the Defence Department is concerned, the Deputy Commissioners have been delegated powers directly by the Central Government without the intervention of the Provincial Government. They have laid down the procedure. They have laid down the method by which compensation is to be calculated and payment made without any reference to the Provincial Government. It is the Central Government who has laid down that in any case when a party who is suffering is not satisfied with the compensation offered, then the matter should go not to the Provincial Government, not to a court of law but to a certain official who has been described as arbitrator. When this is the position, I humbly request all my Friends in this House to consider where the Ministry has failed in this instance. As soon as I received notice of this Motion, I communicated with the Chief Secretary whether he had notice of these happenings in the Karimganj Subdivision in the Departments over which he presides, but I was informed that no reports have been received. I enquired of my Hon'ble Friend the Revenue Minister whether his Department had any notice of such " zuloom " as my Friend there has stated and he says that his Department has not heard from officers below.

Babu RABINDRA NATH ADITYA : Is it not a fact that when the Hon'ble Revenue Minister visited Patharkandi area in Karimganj Subdivision the same story was repeated to him in the presence of the Subdivisional Officer ?

The Hon'ble Maulavi MUNAWWAR ALI : Yes, Sir, certain allegations were made and I assured that action would be taken in the matter.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: My Friend the Hon'ble Revenue Minister was specially directed by me to go to the area in Karimganj Subdivision where the people, who had been evicted last year, has not yet been compensated and over which there have been various complaints. If in the course of that enquiry he learnt anything about the telephone matter he has kept it to himself. For even though he was asked by me if his Department had any knowledge of this, he had replied ' No, Sir '. Anyway, Sir, I am obliged to my Friend Mr. Kamini Kumar Sen when he analysed the points and placed before the House certain considerations. I have been appealed by my Friend Mr. Whittaker to rise above red-tapism and to take the matter personally on humanitarian grounds. I can assure him and all the hon. Members of this House that I will take this matter up in our weekly meeting of the War Measures Committee presided over by His Excellency in which high representatives from the Army also attend. This meeting will come at 9-15A.M. on Thursday next and I will place all that has been stated in this House so that the Military authorities can take action at once. I can assure the House that I will leave no stone unturned to see that due compensation is paid immediately. When I stated early in the morning that local Government have no power, I cannot but refer to a case of one who holds a high position in the Opposition Bench in this House. He had his house in Shillong which was broken into by the Military without any notice to him and it was three days after they informed him that they had taken his house and he should thank the Military for that little bit of information.

I will narrate my personal incident. The so-called Leader of the House had a plot of land at Pandu with my hon. Friend and *ex*-Colleague Mr. Rohini Kumar Chaudhuri. We have equal areas, *i.e.*, 40 bighas plot contiguous to one another. The Military occupied this plot of mine as well as that of Mr. Rohini Kumar Chaudhuri some time in August 1942 without our knowledge and without giving any notice to us and in the year of our Lord 1943, that is one year after, I received a notice from the Deputy Commissioner that the Military has been kind enough to award a magnificent compensation of Rs.5 per bigha to me.

The land was in a block and it was meant for accommodating a saw mill to supply necessary materials to the match factory to be started by my hon. Friend Srijut Rohini Kumar Chaudhuri in his plot. Well, it was very unfortunate for me that I could not bring in an Adjournment Motion before the House, as my hon. Friend has done. I knew that it was useless to move the Provincial Government, but after sometime, I placed my case before them. The Provincial Government after consultation with the legal experts have come to the conclusion that they have no jurisdiction over the decision arrived at by the Deputy Commissioner who derives his authority direct from the Central Government. The only course left was to place the matter before the arbitrator who is Mr. Hindley, the District and Sessions Judge of the Assam Valley. Sir, this is the position as regards Military occupation. I have not got any redress or any compensation whatsoever up till now.

I am in sympathy for the sufferings of those whose condition has been described here, and, I am showing to the House the utter helplessness of the Provincial Government in this matter. Our Deputy Commissioners can flout even the orders of the Provincial Government on the basis of the fact that their power originates from the higher authority than the Provincial Government.

It is very unfortunate that the laying down of a telephone line by the Military had occupied a strip of land of nearly 100 feet wide. So far as my knowledge goes, in the Assam Valley not only one but 12 telephone lines have been laid down along the Trunk Road without occupying 100 feet strip of private lands. It is a great pity as my hon. Friend Mr. Whittaker, the Leader of the Planting Group, feels that the telephone line could have been safely laid down without rousing the feeling of the people. As my hon. Friend said, we cannot undo what mischief has already been done by the Military. My hon. Friend Mr. Sen has urged upon the Government to prevent further harm to the civil population and also suggested that compensation should be given forthwith hand in a generous way. Mr. Aditya has read out the rule of the Central Government to the effect that compensation should be paid at once and in a generous way. Sir, we the Provincial Government, although we have no direct hand in the

matter, have instructed each of the Deputy Commissioners that as soon as any property, house or land of the civil population is taken by the Military, some compensation should be given at once. Later on, a regular valuation of the property should be made and payment of balance made, as early as possible.

Recently I had been to Sylhet, when some people came to me and said that a portion of Akhalia near Sylhet town was taken up by the Military, for a long time but they had not been paid any compensation till then. I directed the Deputy Commissioner then and there to take action. He, however, informed me that there had to be made several valuations and gave me an instance of a certain *pucca* building which was valued by the Public Works Department officers on the basis of its erection in the past, *i.e.*, the valuation made on the calculation of the pre-war rate deducting the depreciation. The valuation, according to the Deputy Commissioner was poor and he refused to accept the valuation as recommended by the Public Works Department officer. He then referred the matter to the Military and the Military officers valued the building. This time, I don't know for what reason, the revaluation was made at the present price basis and it was found that the valuation arrived at was even higher than what the owner himself had claimed. As a result, the Deputy Commissioner had refused to accept this revaluation. Then a third valuation was in progress So, there had been some delay in paying compensation. He said that in many cases similar differences of opinion occurred.

Babu RABINDRA NATH ADITYA: There are other cases—about 37 cases are still pending in Patharkandi. The property was occupied in 1942, but the valuation has not yet been paid.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I said that full valuation has not been paid in many cases. In this connection, my Hon'ble Colleague visited two Subdivisions where such cases were pending and tried to solve the problem. If he has been unable to impress upon the Military the supreme necessity of payment at once and on a generous scale, it is not that he has not done anything in the matter; but the fact is that he made three attempts to see that compensation was paid.

My hon. Friend Mr. Kamini Kumar Sen has very rightly said that as a lay man he considers that for the laying down of one telephone line the road-side reserve land ought to have been sufficient. Then he said that a lay man like him and me cannot see the necessity of a strip of land of 100 feet wide which according to him and me is far in excess of the purpose. He has very rightly and vehemently complained that acquisition or requisition or eviction has been taking place without any notice. With him I also deplore. I can take my hon. Colleagues in this House into confidence and say that the Local Government had insisted upon the Military authority that they should give at least one month's notice before occupying a property. But inspite of our instructions to the Deputy Commissioner and the Military authority, the Military had been occupying land and property sometimes with a very short notice, sometimes at six hours' notice and in many cases without any notice at all.

Then, he rightly laid stress that the compensation should be adequate, nay, generous, for the people have been deprived of their source of income. Probably Mr. Aditya mentioned that betel-nut trees have been cut with the result that the people were deprived of their legitimate income which betel-nuts would have fetched them. In these days of high prices—even betel-nuts are now selling at probably 2 pies for one (in Shillong it is one anna for one betel-nut). The prices these betel-nuts would have fatched ought to be a relevant factor in coming to any proper valuation. Had it been a case under the Indian Land Requisition Act, surely this consideration would have prevailed. All I can say is that I will impress upon the Military authorities and the Government of India that compensation should be paid on a more generous scale than what has been granted hitherto.

Babu DAKSHINA RANJAN GUPTA CHAUDHURI: The question of compensation comes later on, but, Sir, this operation is still continuing and the present problem is to put a stop to this. What step is the Hon'ble Premier going to take to prevent recurrence of such affairs?

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I am coming to that. I took down notes of what my Friend Mr. Sen had placed before the House. The other point that he raised is about the compensation and on this he laid great stress like my Friend Mr. Gupta Chaudhuri. I think Mr. Whittaker has also indicated the line to be taken in valuation of property. I mentioned earlier that I would bring this matter to the notice of high Military authorities in the War Committee that will sit on Thursday next. We will stress that in future they should never attempt to take away any land without due notice and that at the time of acquisition they should have the help of a Civil Officer Under the Government of India's instructions, a person of the status of a Collector should be deputed for the purpose. But a Collector cannot be present everywhere. I will see that a high official not below the status of a Sub-Deputy Collector be deputed for the purpose.

I have detailed all these in order to show that whatever my hon. Friends want, I will place before the Military authorities and if I find that local high officials are not taking any interest, I will go up even to the Government of India and I propose, as soon as the proceedings are printed, to send a copy of these debates to the Government of India, specifically recommending that the procedure that they had laid down should be followed. Beyond this, I cannot think of what else I can do.

As regards compensation I will at once issue orders to the Deputy Commissioner that he should compensate the aggrieved people. What I have been able to gather from Mr. Aditya's speech is that he and those Members, who think along his line, will be quite satisfied if the evicted people are given promptly and adequately compensation for the damages done to their properties.

If even after hearing what I have placed as regards the position of the local Government in this matter—a position not of their own, but created by direct delegation of powers to the District Officers by the Central Government—my hon. Friends think that the Ministry has been guilty of not functioning properly, then they deserve censure. But if they, after the exposition of the line of action by me, think that it is a matter which should be left to me to be tackled with the Military authorities, they should not censure the Ministry by passing this Adjournment Motion. It is for this reason that earlier I requested the Khan Bahadur to withdraw his Motion after the assurance that I gave the House.

Babu RABINDRA NATH ADITYA: On a point of information, Sir. The Hon'ble Prime Minister seems to put the entire responsibility with the Central Government, but the Central Government communiqué runs as follows:—

"Government of India for some time been in close touch with Provincial Government. Reports received show that Provincial Governments are doing all that is possible both to reduce hardship to the minimum and also to remedy promptly any genuine grievances that may exist."

So, it seems that the responsibility, according to the Government of India also primarily rests with the Provincial Government.

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA: I do not think Mr. Aditya is quite right on this subject.

In those cases where the Military had informed a Civil Officer about requisitioning, Provincial Government had done their utmost to see that extra hardship be avoided. This is in accordance with the Government of India's own wishes.

On another occasion, my Friend Srijut Rohini Kumar Chaudhuri mentioned about houses of certain inhabitants of Gauhati being trespassed by Military for laying out telephone lines and as soon as that matter was brought to my notice, I wired to the Military authorities there and they offered apology and compensation and the whole thing was settled. But here, in this case, I have not heard anything of it before and although my Hon'ble Friend the Revenue Minister was apprised of this fact during his recent tour at Karimganj, he has not as yet put up any paper on this subject to me. Any way, this is the position and if my hon. Friends want that I should undertake what I have already promised, they should not censure us for no fault of the Ministry.

The Hon'ble the SPEAKER: Does the hon. Mover want to say anything in reply?

Khan Bahadur Maulavi MAHMUD ALI : The Hon'ble Prime Minister says that he did not know anything of it before. But his Colleague, the Revenue Minister went to Karimganj and these things were reported to him and as it was known to him I cannot agree that the Ministry did not know of it as they have joint responsibilty.

So, Sir, I think they are responsible and they failed to do anything to protect the rights of the people as their custodians and hence they deserve censure.

The Hon'ble the SPEAKER : Has the Hon'ble Premier got to say anything before the debate is closed.

I am putting it as a question.

"The question is that the Assembly do now adjourn."

The motion was put and negatived.

Adjournment

The House was adjourned till 11 A. M. on Monday, the 13th November, 1944.

SHILLONG : A. K. BARUA,

The 9th December 1944. *Secretary, Legislative Assembly, Assam.*

List of Supplementary Demands for Grants for 1944-45

(To be discussed by the Assembly on the 18th November, 1944)

No.1

The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA to move :—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that a sum not exceeding Rs.21,329 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1945, for the administration of the head "29.—Police".

	Rs.
Grant originally voted by the Assembly	34,03,200
II. Sub-head under which the supplementary grant will be accounted for—	
K.—Works—	
(*a*) Original works—in charge of civil officers	21,329
	21,329

EXPLANATORY NOTE

The purpose of this grant is to provide accommodation for the stores and personnel of the Railforce Sector Headquarters at Silchar and Dibrugarh. The work is very urgent and the entire expenditure is recoverable from the Government of India. But, as this is a major work and the expenditure will be met at the first instance from the provincial accounts a supplementary demand has become necessary.

No. 2

The Hon'ble Dr. MAHENDRA NATH SAIKIA to move :—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs. 5,332 be granted to the Minister-in-charge to defray certain charges which will come in the course of payment during the year ending the 31st March 1945, for the administration of the head "42.—Co-operation".

	Rs.
Grant originally voted by the Assembly	2,53,200
II. Sub-heads under which the supplementary grant will be accounted for—	
B.—Superintendence—	Rs.
1. Pay of officers	750
2. Pay of establishment...	3,330
3. Allowances and honoraria	1,085
4. Contingencies	167
Total	5,332

EXPLANATORY NOTE

The Supply Department made an arrangement for the import of iron, steel and plain sheets for the manufacture of agricultural and household implements and of brass sheets for the manufacture of brass utensils and other brassware as part of a proposal to fabricate some consumer goods inside the Province. A number of Industrial Co-operative Societies have been organised to undertake the work of distributing the raw materials and getting the finished articles fabricated through local artisans. As the organisation and working of the societies require strong effort, undivided attention and whole-hearted action, a separate staff of one Superintendent and 8 Inspectors, is indispensable, the officers of the Department at the present moment being busy with multifarious work. It is necess ary, therefore, that the staff should be appointed immediately, but there is no provision in the current year's Budget for the purpose. The supplementary grant is therefore essentially necessary.

The staff will be temporary for one year for the present and it is hoped that the entire expenditure thereon will be covered by audit fees which under the recent amendment of the rules relating to audit fees should be large, as the societies will all have a big working capital.

No.3

The Hon'ble Khan Bahadur Maulavi SAYIDUR RAHMAN to move :—

On the recommendation of His Excellency the Governor of Assam, I beg, Sir, to move that an additional sum of Rs.28,066 be granted to the Minister-in-charge to defray certain charges which will come in the dourse of payment during the year ending the 31st March 1945, for the administration of the head "50.—Civil Works".

Grant originally voted by the Assembly ... Rs 34,57,900

II. Sub-heads under which this supplementary grant will be accounted for—

A.—Original Works—

	Rs.
(*a*) Buildings—	
Jails and Convict settlements	28,066

EXPLANATORY NOTE

The additional grant is required for the construction of a District Jail in the Margherita (protected) area with accommodation for 56 prisoners including 6 female prisoners. The need for a jail at this place is fully justified by the facts that the number of under-trials and convicts requiring detention has greatly increased of late and that Margherita, the Headquarters of the Tirap Frontier Tract is likely to continue to be important after the war from the aspect of law and order—owing to the opening up of communications with Burma and China.

Statement showing by major heads the amounts of Supplementary Grants which the Assembly are asked to vote in the present Session

Heads	Grant originally voted by the Assembly and authenticated by His Excellency	Grant asked for in present Session	Grant as it will finally stand	Number of Supplementary demand
1	2	3	4	5
	Rs.	Rs.	Rs.	
29.—Police	34,03,200	21,329	34,24,529	1
42.—Co-operation	2,53,200	5,332	2,58,532	2
50.—Civil Works (excluding Tools and Plant and Establishment).	34,57,900	28,066	34,85,966	3
Grand total	71,14,300	54,727	71,69,027	..

Note on the present financial situation of the province with reference to the actual receipts and expenditure of the year 1943-44 as compared with the revised for the year

I.—SUMMARY

——	Revised	Actuals	Results + or —
	Trs.	Trs.	Trs.
Revenue receipts	4,36,93	5,15,89	+78,96
Capital revenues	27,18,42	39,72,99	+12,54,57
Total receipts ..	31,55,35	44,88,88	+13,33,53
Opening balance	1,30,65	1,30,65	..
Grand total ..	32,86,00	46,19,53	+13,33,53
Revenue expenditure	4,29,40	4,45,94	+16,54
Capital expenditure	27,56,97	40,38,90	+12,81,93
Total expenditure	31,86,37	44,84,84	+12,98,47
Closing balance	99,63	1,34,69	+35,06

1. The revised estimates for the year 1943-44 which were prepared in January last, placed the receipts for the year at Trs. 31,55,35 and the expenditure at Trs. 31,86,37, thus anticipating a closing balance of Trs. 99,63. The final accounts of the year, however, show that receipts amounted to Trs. 44,88,88 and charges to Trs. 44,84,84, thus resulting in a surplus closing balance of Trs. 1,34,69. This difference in the closing balance was due to better collections of Agricultural Income-tax (Trs. 21,00) and increase in the share of Central Income-tax (Trs. 11,00), Land Revenue (Trs. 18,21), Provincial Excise (Trs. 12,26) and other taxes and duties (Trs. 5,36). These unexpected increases turned the anticipated revenue deficit of Trs. 7,53 into an excess of revenue over expenditure amounting to Trs. 69,95.

II.—REVENUE

2. The revised estimates and the final actuals for the year 1943-44 are compared in the following table :—

——	Revised	Actuals	Results	
			Increase	Decrease
	Trs.	Trs.	Trs.	Trs.
I.—Customs	12,38	11,01	..	1,37
IV.—Taxes on Income other than Corporation Tax ..	63,50	95,70	32,20	..
VII.—Land Revenue	1,46,72	1,64,93	18,21	..
VIII.—Provincial Excise	30,04	42,30	12,26	..
IX.—Stamps	18,00	19,68	1,68	..
X.—Forest	38,91	56,30	17,39	..
XI.—Registration	2,81	3,36	55	..
XII.—Receipts under Motor Vehicles Taxation Act	6,40	7,27	87	..
XIII.—Other taxes and duties	26,55	31,91	5,36	..
XX.—Interest	76	74	..	2

II.—REVENUE—*concld.*

—	Revised	Actuals	Results	
			Increase	Decrease
	Trs.	Trs.	Trs.	Trs.
XXI.—Administration of Justice	4,00	4,15	15	..
XXII.—Jails and Convict Settlements	36	54	18	..
XXIII.—Police	8,52	4,63	..	3,89
XXIV.—Ports and Pilotage	1	1	..	..
XXVI.—Education	3,53	3,31	..	22
XXVII.—Medical	1,67	1,84	17	..
XXVIII.—Public Health	7,25	5,45	..	1,80
XXIX.—Agriculture	12,18	8,68	..	3,50
XXX.—Veterinary	40	38	..	2
XXXI.—Co-operation	9	6	..	3
XXXII.—Industries	50	55	5	..
XXXIV.—Miscellaneous Departments	54	58	4	..
XXXIX.—Civil Works	8,89	9,16	27	..
XLIV.—Receipts in aid of Superannuation ..	2,00	1,90	..	10
XLV.—Stationery and Printing	61	78	17	..
XLVI.—Miscellaneous	9,45	9,32	..	13
XLIX.—Grant-in-aid from Central Government	30,00	30,00	..	..
L.—Miscellaneous adjustments between Central and Provincial Governments.	1	1	..	..
LI.—Extraordinary receipts	70	78	8	..
LII.—Civil Defence	12	58	46	..
Total Revenue receipts	4,36,93	5,15,89	90,04	11,08
Public Debt	11,13,02	11,73,02	60,00	..
State Provident Funds	13,17	15,87	2,70	..
Appropriation for reduction or avoidance of debt	4,43	4,31	..	12
Depreciation Reserve Fund—				
Government Press	19	..	..	19
Deposits of Local Funds—				
District Funds	40,00	47,47	7,47	..
Other Funds	11,58	12,33	75	..
Departmental and Judicial deposits—				
Civil Deposits	1,73,09	2,47,24	74,15	..
Other Accounts	4,82	1,43	..	3,39
Advances	1,89,37	4,22,62	2,33,25	..
Suspense	40,80	3,52	..	37,28
Loans and advances by the Provincial Government	8,45	11,73	3,28	..
Remittances within India	11,19,50	20,33,45	9,13,95	..
Total Capital revenues	27,18,42	39,72,99	12,95,55	40,98
Grand total	31,55,35	44,88,88	13,85,59	52,06
			+13,33,53	

The more important variations are explained below :—

I. Customs (—*Trs. 1,37*).—Due to smaller share of export duty on jute than was anticipated by the Government of India.

IV.—Taxes on Income (+*Trs. 32,20*).—Due partly to increase in the share of Income-tax allocated to Assam (Trs. 11,00) and partly to more revenue from the Assam Agricultural Income-tax than was estimated owing mainly to the increased profits of the tea industry in 1942. The latter were not known when the revised was framed as the assessment by the Central Income-tax officers, on which the Provincial Department bases its demand, was not completed at that time.

VII.—Land Revenue (+*Trs. 18,21*).—Due to better collection of ordinary revenue in the closing months of the year as a result of the improved economic condition of the

ryots and new settlement of waste lands under the grow-more-food campaign and colonization schemes.

VIII.—Provincial Excise (+*Trs. 12,26*).—Owing to increased consumption of liquor, *ganja*, etc., on account of the increased military and labour population in the Province and also due to a further increase in the license fees and duty on wines, spirits and *ganja* and enhancement in the retail price of opium after the revised was framed.

IX.—Stamps (+*Trs. 1,68*).—Due to larger transfers of landed property and to an increase in litigation as a result of the general improvement in the economic condition of the people.

X.—Forests (+*Trs. 17,39*).—Due to larger demands for war supplies in the closing months of the year.

XI.—Registration (+*Trs. 55*).—Due to increase in registration of documents owing to the general improvement in the economic condition of the people.

XII.—Receipts under Motor Vehicles Taxation Act (+*Trs. 87*).—Due to influx of vehicles from other provinces and Indian States for works on contracts and projects connected with Defence Measures.

XIII.—Other taxes and duties (+*Trs. 5,36*).—Due mainly to a much larger consumption of petrol by the Army in the closing months of the year.

XXIII.—Police (—*Trs. 3,89*).—Owing to smaller recovery from the Government of India for the additional Police entertained for defence purposes as complete details could not be worked out in time.

XXVIII.—Public Health (—*Trs. 1,80*).—Due to receipts on account of sale of quinine to the public not coming upto expectation.

XXIX.—Agriculture (—*Trs. 3,50*).—Due to smaller recovery from the Government of India on account of Grow-More-Food Campaign based on actual expenditure at the end of the year.

LII.—B. Civil Defence (+*Trs. 46*).—Owing to increased receipts from sale of old vehicles.

Capital Revenues (—*Trs. 12,54,57*).—Receipts and expenditure under these heads are of a fluctuating nature and accurate estimates are not possible. An increase or decrease in receipt is followed by a similar increase or decrease in expenditure. The largest variation is under the head "Remittances within India" over which the Provincial Government have no control.

III.—EXPENDITURE

3. Revised estimates and the final actuals for the year 1943-44 are compared below in the following table:—

	Revised	Actuals	Results	
			Increase	Decrease
	Trs.	Trs.	Trs.	Trs.
4.—Taxes on Income other than Corporation Tax	40	43	3	..
7.—Land Revenue	19,00	19,06	6	..
8.—Provincial Excise	4,79	4,86	7	..
9.—Stamps	46	60	14	..
10.—Forests	18,41	36,00	17,59	..
11.—Registration	1,72	1,74	2	..
12.—Charges on account of Motor Vehicles Taxation Act.	3,73	3,15	..	58
13—Other taxes and duties	1	1	..	..
18B.—Navigation, Embankment and Drainage Works.	2,50	1,58	..	92

III.—EXPENDITURE—*concld.*

	Revised	Actuals	Results	
			Increase	Decrease
	Trs.	Trs.	Trs.	Trs.
22.—Interest on debt and other obligations ..	4,05	3,45	..	60
Interest on Unfunded debt	4,58	4,49	..	9
Interest portion of equated payments on account of commuted value of pension.	—85	—85	..	..
Appropriation for reduction or avoidance of debt.	4,00	4,00	..	..
25.—General Administration	41,00	41,32	32	..
27.—Administration of Justice	12,50	12,61	11	..
28.—Jails and Convict Settlements	14,00	14,98	98	..
29.—Police	40,00	48,83	8,83	..
30.—Ports and Pilotage	2	2	..	..
36.—Scientific Departments	6	6	..	..
37.—Education	47,58	47,65	7	..
38.—Medical	16,99	16,97	..	2
39.—Public Health	12,41	12,66	25	..
40.—Agriculture	25,00	23,44	.	1,56
41.—Veterinary	2,24	2,22	..	2
42.—Co-operation	2,09	2,12	3	..
43.—Industries	2,57	2,63	6	..
47.—Miscellaneous Departments	1,04	1,02	..	2
50.—Civil Works	46,41	41,77	..	4,64
54A.—Famine Relief	3	10	7	..
55 —Superannuation allowances and pensions ..	25,24	24,83	..	41
56.—Stationery and Printing	4,74	4,42	..	32
57.—Miscellaneous	57,56	47,62	..	9,94
63.—Extraordinary charges	..	1	1	..
64B.—Civil Defence	15,12	22,13	7,01	..
Total Revenue heads ..	4,29,40	4,45,94	35,66	19,12
Capital Expenditure—				
83.—Payment of commuted value of pensions not charged to Revenue.	1,21	—1,39	..	2,60
85A.—Capital outlay on Provincial schemes connected with the War.	1,71,42	3,13,80	1,42,38	..
Public Debt	9,84,00	9,71,00	..	13,00
State Provident Funds	10,82	10,79	..	3
Sinking Fund investment account	4,00	4,00	..	..
Depreciation Reserve Fund—Government Press	15	..	..	15
District Funds	38,50	41,92	3,42	..
Other Funds	11,30	11,85	55	..
Departmental and Judicial—				
Deposits—Civil Deposits	1,65,18	2,17,52	52,34	..
Other Accounts	4,95	1,45	..	3,50
Advances	1,90,92	4,39,19	2,48,27	..
Suspense	50,80	3,40	..	47,40
Loans and advances by the Provincial Government	4,22	4,92	70	..
Remittances within India	11,19,50	20,20,45	9,00,95	..
Total Capital, Debt and Deposit heads ..	27,56,97	40,38,90	13,48,61	66,68
Grand total	31,86,37	44,84,84	13,84,27	85,80
			+12,98,47	

EXPENDITURE

10. Forests (+*Trs.17,59*).—Due to more advances to contractors remaining outstanding at the close of the year than anticipated and larger expenditure to meet the increased demand for supply of timber for war purposes.

12. Charges on account of Motor Vehicles Taxation Act (—*Trs.58*).—Due mainly to non-drawal of the full amount of compensatory grants by certain local bodies and smaller outlay on Motor Vehicles Tax projects.

18B.—Navigation, Embankment and Drainage Works (—*Trs.92*).—Smaller expenditure on some works than was anticipated.

22.—Interest on Ordinary Debt.(—*Trs.60*).—Flotation of treasury bills at a lower discount is responsible for the decrease.

25.—Jails and Convict Settlements(+*Trs. 98*).—Due to the rise in prices of foodstuffs and clothing.

29.—Police (+*Trs. 8,83*).—Due to smaller recovery from the Defence Department of the Government of India for additional police entertained in connection with war works.

40.—Agriculture (—*Trs.1,56*).—Smaller expenditure under Grow-More-Food Campaign is responsible for the decrease.

50.—Civil Works (—*Trs.4,64*).—Due partly to lesser expenditure on provincial projects but mainly to large recoveries from the Central Government for establishment and tools and plant charges which are distributed on a *pro-rata* basis.

57—Miscellaneous (—*Trs. 9,94*).—Due to the non-adjustment from the capital head of the expenditure on issue of free rations and rice at concession rates to Government servants.

64B—Civil Defence (+*Trs. 7,01*).—Due to larger expenditure on A.R.P. and Fire Services.

85A.—Capital Outlay on Provincial Schemes connected with the War (+*Trs.1,42,38*).—The lag under the Standard Cloth, Grain Storage and Motor Transport organisation schemes has increased owing to the necessity for increasing the reserve of food stocks, delay in the receipts of foods paid for as a result of the transport difficulties, etc.

IV—1944-45.

4. *Prospects for 1944-45* —The total provincial revenue receipts for the first 5 months of the year amounted to Trs.1,95,80 as compared with Trs. 1,32,84 during the corresponding period of 1943-44. The increase of Trs. 62,96 during the current year is due to (*i*) larger realisation of arrear dues under Agricultural Income-tax (Trs.18,34), (*ii*) Land Revenue (Trs. 17,09) due to earlier and better collections as a result of improved economic condition of the people and withdrawal of the remission, (*iii*) Provincial Excise (Trs. 13,79) due to increased sale of India made foreign liquors and enhanced rates of duty, (*iv*) Forests (Trs. 1, 81) due to increase in demand for timber and (*v*) Other Taxes and Duties (Trs. 8,82) owing to increase in sale of petrol for military purposes, partly counterbalanced by a small decrease of Trs.1,20 under customs in this Government share of jute duty. It is quite impossible at this stage to say accurately what the actual position at the end of the year will be, but the progress of actuals, shows that the total revenue is likely to be much higher than estimated in the original budget.

The expenditure under revenue heads during the same period amounted to Trs.2,14,32 against Trs.1,63,59 during the corresponding period of last year. This increase of Trs.50,73 in this year's actuals is the result of variations under different heads and is due mainly to increased dearness allowance to Government servants owing to rise in prices of foodstuffs, increased expenditure on jail (Trs.1,29) and Medical (Trs.1,00) on account of increase in prices of articles, Civil Works (Trs.5,08) owing to greater number of works being taken up and the rise in prices of materials and labour, Miscellaneous (Trs.9,51) due to expenditure on issuing of free rations to Government servants and expenditure in connection with the control and distribution of cloth and yarn, Civil Defence (Trs.5,13) as a result of larger expenditure on A.R.P. and

64A.—Transfer to Revenue Reserve Fund (Trs.25,00) owing to the investment in $2\frac{3}{4}$ per cent. Defence Loan of the amount provided for Post-War Reconstruction, counter balanced by a smaller expenditure of Trs.3,16 under Grow-More-Food Scheme in the Agricultural Department.

There is likely to be some increased expenditure under other heads due to the rise in prices of all articles and increase in staff due to increased work but it is difficult to estimate what the increase will amount to. There is also a proposal for further revision of the dearness allowance, which is likely to absorb any surplus.

In view of the unprecedented rise in the cost of living Government granted a dearness allowance to all their servants drawing a salary of Rs. 120 and the expenditure thereon was estimated to cost about Rs. 9 lakhs when the current year's budget was framed. This concession proved very insufficient and Government had not only to increase the rate but to extend the concession to those drawing Rs. 250 per mensem. Following the Government of India's decision this Government have since granted a war allowance to all their servants drawing a salary up to Rs. 1,000 per mensem with effect from 1st July 1944. The total probable expenditure on this account including dearness allowance during the current year is likely to come to about 31 lakhs, *i.e.*, an increase of about 22 lakhs

It is thus apprehended that the total revenue expenditure estimated in the original budget will be considerably increased.

On the Capital side the demand for much larger supplies of paddy and rice for the army and for Bengal as well the necessity for stocking a large reserve of these commodities for the province has resulted in increased expenditure under the head "85 A—Capital Outlay" with consequent increase in the issue of Treasury Bills necessary to finance these undertakings. The latter will, it is hoped, return to normal as soon as recoveries from the Army and Bengal come in and the reserve stocks are sold.

A. G. PATTON,
Secretary to the Government of Assam, Finance Department.

The 8th November, 1944.

APPENDIX " C "

Report of the Select Committee appointed to consider the amendments to the Assam Legislative Assembly Rules

The Committee met at 11 A.M. on the 7th August, 1944, in the Committee room of the Assembly building.

PRESENT

1. The Hon'ble the Speaker—*Chairman*
2. Khan Bahadur Maulavi Keramat Ali
3. Mr. Baidyanath Mookerjee
4. Srijut Surendranath Buragohain
5. Babu Akshay Kumar Das
6. Babu Karuna Sindhu Roy

Mr. A. K. Barua, Secretary, Assam Legislative Assembly, was also present.

After some discussion, at the outset, with regard to the question as to whether the House was committed to the principle underlying the amendments, and as to the scope of the Committee in considering them, and also after hearing from the Chairman on a query made by the hon. Mr. Baidyanath Mookerjee as to what procedure was being followed in the Central Assembly and in Parliament (*Cf*: Appendices) and that no other Legislature in India, except Sind has amended their Rules on these lines, and also after a discussion of the Government's points of view with regard to the proposed amendments as explained by the Chairman and as appeared from the speech

of the Hon'ble Minister, Legislative, delivered at the time he asked for leave of the House to amend the Rules on the 14th March 1944, we make the following recommendations :—

1. In our opinion, the amendments, as presented, are not necessary now as the war situation has improved considerably, and the practice followed in the House of Commons under similar circumstances, as explained by the Chairman, and shown below as Appendix B be adopted in this province.

If, however, the Hon. House thinks otherwise, we recommend that the amendments should be incorporated in the modified form as recommended by us, and that they should remain in force only for two consecutive Sessions.

Amendment No. 1—(Rule 12).—We (except Khan Bahadur Keramat Ali) recommend that for the words 'His Majesty', the words 'the Government of India' be substituted.

We further recommend that the proposed sub-rule *(vii)* be renumbered as *(vi)*, and that the existing sub-rule *(vi)* be renumbered as *(vii)*.

Amendment No.2—(Rule 30).—We recommend that in proposed sub-rule (2), for the words 'His Majesty', the words 'the Government of India' be substituted, Khan Bahadur Keramat Ali dissenting.

We accept the remaining part of the proposed amendment as consequential.

Amendment No.3—(Rule 41).—We recommend that in the proposed rule 41A (1), for the words 'His Majesty', the words 'the Government of India' be substituted, Khan Bahadur Keramat Ali dissenting.

We recommend that the proposed rule 41 A (2) be deleted as unnecessary.

Amendment No. 4—(Rule 76).—We recommend that in the proposed sub-rule (2), for the words 'His Majesty', the words 'the Government of India' be substituted, Khan Bahadur Keramat Ali dissenting.

We accept the remaining part of the proposed amendment as consequential.

Amendment No.5—(Rule 87).—We recommend that in the proposed rule 87A (1), for the words 'His Majesty', the words 'the Government of India', be substituted, Khan Bahadur Keramat Ali dissenting.

We recommend that the proposed sub-rule (2) be deleted as unnecessary.

Amendment No.6—(Rule 121).—Since we have recommended that the practice followed in the House of Commons under similar circumstances should be adopted, and as the proposed rule would dispense with a valuable provision, *viz.*, publication of the Assembly proceedings in the Gazette, we are of opinion (Khan Bahadur Keramat Ali agreeing provisionally) that this amendment is unnecessary. We, therefore, recommend that the proposed rule 121 should not be incorporated.

Although the Hon'ble Minister was unavoidably absent, we gave our full consideration to the Government's points of view as were explained by the Chair and to the speech of the Hon'ble Minister made at the time of presenting the amendments to the House which was read out to us by the Chairman.

BASANTA KUMAR DAS
BAIDYANATH MOOKERJEE
KERAMAT ALI
MUHAMMAD AMIRUDDIN
SURENDRANATH BURAGOHAIN
KARUNA SINDHU ROY
AKSHAY KUMAR DAS
*DEWAN MUHAMMAD AHBAB CHAUDHURY
*A. WHITTAKER.

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* Signed subject to a Minute of Dissent annexed.

NOTE.—The signature of the Hon'ble Khan Sahib Maulavi Muddabir Hussain Chaudhuri had not been received up to the time of sending out the report for printing.

MINUTE OF DISSENT BY KHAN SAHIB MAULAVI DEWAN MUHAMMAD AHBAB CHAUDHURY, M.L.A.

I endorse the note of dissent adopted by Khan Bahadur Maulavi Keramat Ali.

MINUTE OF DISSENT BY MR. A. WHITTAKER, M.L.A.

If the Hon'ble Speaker, as Chairman of the Select Committee, will permit the courtesy of comments from a member of the Committee who could not possibly attend the meeting because of his absence in England, I append the following :—

1. The substantial recommendation of the Committee is that none of these amendments are now necessary as the War situation has improved considerably. I suggest that the improvement of the War situation does not destroy the necessity in Assam for the precautions proposed in the original amendments. The improvement of the War situation does, however, determine the length of time for which these precautions may be necessary. The view of caution suggests that any indiscreet remark in the Legislature could be of greater value than ever now that the enemy's situation is deteriorating. Conditions in Assam are peculiar to this extent—that we have been for so long and are likely to remain for a long period still, nearer to the scene of active operations than any other Province in India. I do not consider, therefore, that the absence of these proposed amendments in the Rules in other Provincial Legislatures or the Central Legislature offers any guidance to Assam. It is inevitable that every member of the Assembly will acquire in the course of his ordinary vocation knowledge which, inadvertently misapplied, would be of use to the enemy. In my view, therefore, there remains a strong case for these purely precautionary amendments.

2. The Committee recommend that the clauses in draft Rules 41A(2) and 7A(2) which authorised the Governor to decide whether a particular statement discloses information to the enemy shall be deleted as unnecessary. The Committee consider that the procedure followed by the House of Commons whereby the Hon'ble Speaker can arrange for the deletion of such indiscreet statements could be adopted here. I do not think conditions at Westminster and Shillong offer a close parallel because—

(*i*) The Speaker of the House of Commons resides in the capital town throughout the year and is in closer touch with members of Government than is possible for the Speaker of a Provincial Legislature in India.

(*ii*) It is imposible for a person whose access to official records is as limited as the Hon'ble Speaker's to be in a position to assess the precise significance of every statement made in the Legislature. In view of the special responsibilities under the present Constitution which the Governor has to discharge, he must remain the authority best able to assess the significance of certain disclosures. No head of a Department or a Secretary of Government is in a position to carry out this responsibility and it may well be that there are certain borderline cases in which the Governor himself has doubts and will have to refer to the Government of India about the propriety of certain statements.

(*iii*) The House of Commons has over 600 members, many of whom are in the Forces or have previously served in the Forces. There is thus a body of opinion which by previous training has a keener ear for indiscreet statements than a smaller Legislature whose members, at present, have not seen active service. The Speaker of the House of Commons is therefore assisted by the vigilance of a large number of members who have a special concern in seeing that no leakages occur. In Assam there is an equal willingness to assist but none of us have specialised knowledge.

In my view, therefore, the retention of the sub-clauses which seek the decision of the Governor are essential as the only piece of machinery which will enable this censorship provision to work smoothly.

An additional supporting argument for the retention of the draft amendments is the fact that the Committee do not propose that there shall be any secret Sessions as at Westminster, at which members can speak without restriction. In my view, secret Sessions would not be a suitable innovation in Assam in War time and I would, therefore, prefer the more direct method of amending the Rules.

3. The substitution of the words "Government of India" for "His Majesty" seems to me to deny the use of a phrase which has centuries of usage behind it in Great Britain and the Dominions. The phrase "His Majesty at War" is the traditional use of the King's English and as no principle is at stake, I prefer it to the "Government of India."

4. My colleagues have objected to draft Rule 121 particularly as, in their view, it would dispense with the privilege whereby reports of the Assembly proceedings are published in the Gazette. I agree with my colleagues that publication is a valuable privilege and should in no circumstances be dispensed with, but I cannot imagine that it was the intention of Rule 121 to dispense with this privilege. In support of this view, I find that in the Legislative Council, in which a similar amendment has been made, the proceedings have been published as punctually as before. The position could be cleared up entirely by the addition to sub-clause (3) of draft Rule 121 of the following words :—

..... shall be sent to each member and to the Governor and Governor-General "*and shall be published in the Gazette.*"

With this amendment, therefore, I am in favour of the draft Rule 121 being incorporated in the Rules.

5. In agreement with all my colleagues I think the amendments should remain in force for a limited period but not having sufficient knowledge to forecast the end of the War, I should prefer that limit to be defined in some such phrase as the "termination of hostilities against Japan."

APPENDIX A

PROCEDURE IN THE CENTRAL LEGISLATIVE ASSEMBLY

1. There is no restriction whatever in regard to the official publication of the debates ; but on two occasions, the war situation was discussed and this was done in secret sessions on motions moved by the Leader of the House. Under the direction of the Hon'ble President, the proceedings of these secret sessions were not taken down, recorded or published.

2. The question of supply of copies of Official Reports of the proceedings to neutral countries was considered by the Indian Legislative Assembly Department in 1940, and it was decided neither to stop the supply of such publications, nor to censor copies thereof supplied to neutral countries.

3. No new restrictions under the Rules and Standing Orders have been imposed on members in the matter of tabling of questions, resolutions, motions, etc., or in respect of their freedom of speech since the war started, but a case occurred where a question relating to aerodromes was amended at the instance of the Government Department concerned, so that the location of aerodromes might not be disclosed.

APPENDIX B

PROCEDURE IN THE HOUSE OF COMMONS

Neither the Government nor the House of Commons have authorised any precautions regarding the publication of the Official Reports of Parliamentary Debates. Whenever a subject is likely to be raised in a debate which would be of value to the enemy, the Government has asked the House to debate that subject in secret sessions. There have been occasions, however, when a member, who has made some indiscreet statement in open debate, has been asked privately by the Hon'ble Speaker to agree to the omission of such statement from the official report, and the official and press reporters have also been asked to agree to the omission in the interests of national security.

2. With regard to precautionary measures taken in connection with questions, the steps taken are as follows:

(*i*) The Prime Minister issued a letter to all members to exercise special care in tabling questions and framing supplementaries, and the Chair drew the special attention of members to that letter and requested them to exercise special care at the present time.

(*ii*) In cases where it appears that the subject matter of a question is likely to give information to the enemy, the Clerks at the Table ask the Department concerned whether the manuscript ought to be modified before it appears in print.

(*iii*) Thirdly, if the Clerks at the Table pass a question and the Department is anxious that it should not be asked, the Minister concerned may approach the Speaker and ask for the question to be removed from the Order Paper with the consent of the Member concerned. The same procedure would be followed in the case of Motions also.

Any action on these lines depends on the general consent of the House as a whole and of the individual member concerned in each instance.

At the beginning of the War, the authorities had to face the fact that 'Hansard' had a world wide circulation and that the enemy would be among its most diligent readers. Some of the more obviously dangerous topics are debated at secret sittings, but such sessions are comparatively rare and the question hour is always held in public. Members have been cautioned that every word spoken is within the hearing of the enemy and when any member gives away a piece of useful information, the Speaker sees the member concerned and orders the passage to be left out of 'Hansard'. That is the only form of censorship to which the record is subjected. It has had to be used only rarely, and there have been no complaint about the working of the system, Even in this matter the House of Commons has been careful to retain the responsibility of the Speaker and not to entrust the task to a Member of the Government. It was this healthy spirit of independence that induced the House to publish an Official Report at all.

AMENDMENTS TO THE ASSAM LEGISLATIVE ASSEMBLY RULES MADE UNDER SUB-SECTION (1) OF SECTION 84 OF THE GOVERNMENT OF INDIA ACT, 1935

(EMBODYING AMENDMENTS RECOMMENDED BY THE SELECT COMMITTEE)

[*NOTE.—All matter omitted by the Select Committee has been printed in italics and enclosed in square brackets and all new matter inserted has been underlined.*]

1. That in sub-rule (2) of Rule 12 the following shall be added, namely :—

*"[(*vii*)] (*vi*) when [*His Majesty*] the Government of India is at war with any foreign State, refer to any matter the nature of which would be calculated to disclose information likely to assist the enemy."

2. That in Rule 30—

(*i*) the following sub-rule shall be inserted as sub-rule (2), namely :—

"(2) When [*His Majesty*] the Government of India is at war with any foreign State no question shall be asked the asking of which would be calculated to disclose information likely to assist the enemy" ;

(*ii*) the existing sub-rule (2) shall be renumbered as sub-rule (3) ; and

(*iii*) in sub-rule (3) as so renumbered for the word and figure "sub-rule (1)" the words and figures "sub-rules (1) and (2)" shall be substituted.

3. That after Rule 41 the following shall be inserted as Rule 41A :—

"Restrictions on subjects for discussion—

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*N.B.—Consequential amendment :—
Existing sub-rule (*vi*) under Rule 12 (2) to be renumbered as (*vii*).

41A. (1) When [*His Majesty*] the Government of India is at war with any foreign State no motion shall be made on any matter the discussion of which would be calculated to disclose information likely to assist the enemy.

[(2) *If any doubt arises whether any such motion is or is not within the restrictions imposed by sub-rule (1), the Governor shall decide the point and his decision shall be final*".]

4. That in Rule 76—

(*i*) the following sub-rule shall be inserted as sub-rule(2), namely :—

" (2) When [*His Majesty*] the Government of India is at war with any foreign State no resolution shall be moved the discussion of which would be calculated to disclose information likely to assist the enemy " ;

(*ii*) the existing sub-rule (2) shall be renumbered as sub-rule (3) ; and

(*iii*) in sub-rule (3) as so renumbered for the word and figure " sub-rule (1) " the words and figures " sub-rules (1) and (2) " shall be substituted.

5. That after Rule 87 the following Rule shall be inserted as Rule 87A :—

"Restrictions on subjects for discussion—

87A. (1) When [*His Majesty*] the Government of India is at war with any foreign State no motion for adjournment shall be made the discussion of which would be calculated to disclose information likely to assist the enemy.

[(2) *If any doubt arises whether any such motion is or is not within the restrictions imposed by sub-rule (1), the Governor shall decide the point and his decision shall be final* ".]

[6. *That for Rule 121 the following Rule shall be substituted, namely* :—

"(1) *The Secretary shall cause a full report of the proceedings of the Assembly at each of its meetings to be prepared. A copy of such report when confirmed and signed by the Speaker shall be the record of the proceedings of the Assembly.*

(2) *When His Majesty is at war with any foreign State the report as confirmed by the Speaker shall be sent to the Governor before it is published and, if the Governor acting in his individual judgment certifies that any portion of the report contains information likely to assist the enemy, that portion of the report shall not be published or cited until he so directs.*

(3) *Copies of the report of the proceedings, with the omission of the portions, if any, certified by the Governor under sub-rule (2) shall be sent to each Member and to the Governor and Governor-General*".]

A. G. P. (L. A.) No. 94—123+2—12-12-1944.